

**BASKET I—IMPLEMENTATION OF THE FINAL ACT OF THE
CONFERENCE ON SECURITY AND COOPERATION IN
EUROPE: FINDINGS ELEVEN YEARS AFTER HELSINKI**

R E P O R T

SUBMITTED TO THE

CONGRESS OF THE UNITED STATES

BY THE

**COMMISSION ON SECURITY AND
COOPERATION IN EUROPE**

Volume 2



NOVEMBER 1986

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U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1987

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CHAPTER ONE—THE COMMISSION

Created in 1976 by Public Law 94-304 as an independent agency, the Commission on Security and Cooperation in Europe is charged with monitoring and encouraging compliance with the Helsinki Final Act.

The Helsinki Commission, as it is commonly known, is composed of 21 legislative and executive branch officials.

The Commission's mandate, as outlined in P.L. 94-304, is to "monitor the acts of the signatories which reflect compliance with or violation of the articles of the Final Act of the Conference on Security and Cooperation in Europe, with particular regard to the provisions relating to Human Rights and Cooperation in Humanitarian Fields." The Commission is further authorized and directed to "monitor and encourage the development of programs and activities of the U.S. Government and private organizations with a view toward taking advantage of the provisions of the Final Act to expand East-West economic cooperation and a greater interchange of people and ideas between East and West." Carrying out its mandate, the Commission actively documents violations of the Final Act, promotes public awareness of implementation of its provisions and helps formulate and execute U.S. Government policy on these issues.

Monitoring compliance, or lack thereof, with the Final Act is the Commission's main activity. Public hearings with expert witnesses have been held on such issues as religious rights in the Soviet Union and Eastern Europe, Soviet treatment of ethnic groups, emigration from the Soviet Union and Eastern Europe, family reunification and binational marriages, martial law in Poland, human rights violations in Ukraine, religious and national dissent in Lithuania, the Soviet invasion of Afghanistan, forced labor in the Soviet Union, restrictions on cultural freedom, and on the future of the CSCE process.

The Commission issues periodic reports, providing information on Final Act implementation to the Congress, the press and the public. Comprehensive reports on implementation, focusing on the records of the Soviet Union and East European states, were published previously in 1977, 1980 and 1982. U.S. compliance with the Final Act was the subject of a Commission report in 1979. In 1985, the Commission issued a report entitled, *The Helsinki Process and East-West Relations: Progress in Perspective* on the positive aspects of the implementation of the Final Act during the period 1975 through 1984.

Much of the Commission staff's daily activity focuses on human rights casework. Visa denials, cases of separated families, political prisoners, and other human rights violations are followed closely. The staff compiles and disseminates information on these cases and

advises family members, congressional offices and interested non-governmental organizations (NGOs) on steps to resolve them.

Nongovernmental organizations are a primary source of information for the Commission as well as a major channel through which the Commission publicizes its work. The Commission is geared to bring the particular CSCE-related concerns of private groups to the attention of the government decision-makers. In turn, the Commission endeavors to make government policies and activities regarding CSCE more accessible to NGOs.

The Commission plays a unique role in planning and executing U.S. policy in various CSCE forums, beginning with the Belgrade Review Meeting of 1977-78 and including the Madrid Review Meeting of 1980-83. Commissioners and staff hold periodic meetings with officials of the executive branch on CSCE policy and implementation. The Commission is represented on U.S. Government delegations to CSCE meetings and participates in consultations with other governments which signed the Final Act.

CHAPTER TWO—THE LONG, HARD ROAD FROM HELSINKI TO VIENNA

HISTORY OF CSCE

The CSCE negotiations

The Soviet Union first proposed a European security conference on February 10, 1954, and periodically reiterated the proposal over the years. It appeared that Moscow's principal objective was to exploit such an event to produce a surrogate World War II peace treaty. The idea was received with little enthusiasm from Western and neutral nations. However, as both East and West began to move toward detente, a renewed Warsaw Pact appeal from Budapest on March 17, 1969, elicited a cautiously positive reaction from NATO. The West took the position that such a conference might serve a useful purpose, once some progress had been achieved on the issue of Berlin.

In December 1969, the NATO countries agreed that conclusion of a new Four-Power agreement on Berlin, aimed at effecting practical improvements in relations between the people on both sides of the Wall and between Bonn and West Berlin, could lead to allied willingness to participate in a Conference on Security and Cooperation in Europe (CSCE). The allies also increasingly emphasized the importance they attached to improving West German (F.R.G.) relations with East Germany (G.D.R.), the U.S.S.R., Poland and other Warsaw Pact countries. The Berlin Accord, signed September 3, 1971, took effect in June 1972. CSCE Multilateral Preparatory Talks thereupon opened in Helsinki the following November, after the Warsaw Pact countries had agreed to commence exploratory talks on Mutual and Balanced Force Reductions (MBFR) in Vienna, beginning in January 1973.

Stage I of CSCE took place at the Foreign Minister level in Helsinki from July 3-7, 1973. Ministers approved the "Final Recommendations" of the preparatory phase, which set the agenda and established mandates to committees and subcommittees during the stage II negotiations.

Stage II began September 18, 1973 in Geneva, where experts from the 35 participating countries met to work out the final document organized under four agenda items, or "baskets." After almost 2 years of intense and difficult negotiations, stage III opened in Helsinki on July 30, 1975. There the heads of state of the 35 nations signed the Final Act of the Conference on Security and Cooperation in Europe, commonly known as the Helsinki Agreement.

The nature of the Helsinki Final Act

The Final Act covers three major components of East-West relations: security; economic, industrial and scientific cooperation; and

humanitarian issues including basic human rights and specific concerns such as family reunification, travel, information flow, and educational and cultural cooperation. The document itself is comprised of three sections, popularly known as "baskets." The first basket contains 10 principles "guiding relations between states," including: inviolability of frontiers (Principle III), nonintervention in internal affairs (Principle VI), respect for human rights and fundamental freedoms (Principle VII) and self-determination of peoples (Principle VIII). In addition, Basket I deals with certain aspects of military security and disarmament, known as confidence-building measures (CBMs).

Basket II discusses cooperation in the economic sphere, including science and technology. There is a section known as Basket II B, which deals with issues of security and cooperation in the Mediterranean. Basket III calls for and encourages cooperation in the humanitarian fields: expansion of human contacts across borders; improvement of access to printed and broadcast information; improvement in the working conditions of journalists; expansion of cultural and educational cooperation.

Finally, there is a section entitled "Follow-up to the Conference," which calls for experts meetings and periodic review meetings of the 35 Governments.

In accordance with the desire of the signatories, the Final Act is not a legally binding document. In fact, the Final Act states that it is not eligible for registration as a treaty or international agreement under article 102 of the United Nations Charter.

Nevertheless, the participating States generally accept the proposition that, by signing the Final Act, they have given solemn, political commitments to fulfill their declared intentions. They can be held publicly, if not legally, accountable by other signatories. So accepted is this concept that not one of the participating States has relied on the nonbinding nature of the Final Act as a defense against charges of nonfulfillment of its provisions. Another concept agreed upon by all 35 signatories is that all areas of the Final Act are of equal importance. No one section of the document is to be emphasized at the expense of another and, conversely, no area is to be ignored or relegated to a lower status.

Follow-up meetings of the CSCE to date

The Helsinki Final Act's unique follow-up provisions call for periodic major review meetings—the first of which was held in Belgrade, Yugoslavia (1977-78) followed by one in Madrid, Spain (1980-83)—and for other spin-off fora, such as specialized or "experts" meetings on particular facets of the accords. The follow-up meetings provide opportunities for the signatory states to exchange views on the state of the Final Act's implementation and to adopt by consensual agreement new commitments which strengthen and expand upon the original Final Act provisions.

Insofar as the Final Act lacks an enforcement mechanism, these meetings are an important means by which a signatory state may be taken to task publicly for the violation of Helsinki standards. From the beginning, all Helsinki signatories have acknowledged that full implementation of the Helsinki accords' provisions cannot be accomplished overnight and that CSCE necessarily will be a

long-term process. Nonetheless, all signatories are expected to make constant and tangible progress towards full implementation.

As the following CSCE negotiating history will show, the closed Communist systems of the East bloc have been particularly resistant to human rights concerns and to the free flow of ideas, information and people across East-West borders. Efforts by the West to foster the balanced development and implementation of CSCE's humanitarian aspects thus have met with continuing East bloc intransigence.

Belgrade.—For 5 months—between October 4, 1977 and March 9, 1978—delegates of the 35 nations that signed the 1975 Helsinki accords met in Belgrade to determine how well the commitments set out in the Final Act of the Conference on Security and Cooperation in Europe had been kept. From their work, a new ingredient in East-West diplomacy emerged: recognition of human rights as an integral aspect of East-West relations. This was an important step on the road toward making Europe a place where human rights are universally respected in all countries, even though it carries no guarantees of speedy results.

Although participants to the Belgrade Meeting examined new proposals, drafted a concluding document and scheduled the next review meeting in Madrid, the main work of the Belgrade Meeting was a line-by-line review of the Final Act. To understand the advance made at Belgrade and the limits on it, it is necessary to remember the rules under which all decisions of the Helsinki process are reached. Decisions of the 35 countries can only be arrived at unanimously; each country has veto power and can reject any proposal or document by withholding its consensus. In addition, all procedural or administrative decisions must be arrived at by consensus. Moreover, the discussions at Belgrade were closed to the public and not transcribed, except for 2 weeks of formal, on-the-record speeches at the start and 1 week at the end of the meeting. Given these circumstances, Belgrade was more what therapists would call an "encounter session" than what jurists would regard as a tribunal. It was better suited for exchanges of views and arguments than for the issuance of formal findings or decrees.

Objectives and Results: The United States and its allies—along with many of the neutral and nonaligned countries—sought to make the review of Final Act implementation the touchstone of the Belgrade Meeting. For the United States, the most urgent and important matters centered on questions of human rights, for it was here that performance was the most glaringly deficient. The working sessions at Belgrade demonstrated the determination of Western and neutral signatories to record specific criticisms of Eastern implementation of the Final Act.

In reviewing past action (and inaction) and in presenting suggestions for new commitments to improve implementation of the Final Act, the Western delegations voiced concern over a number of Helsinki provisions, not just those directly related to human rights. Various East bloc practices came under critical scrutiny, such as barriers to the flow of economic information, impediments to contact between businessmen and potential customers, obstacles to the conduct of scholarly research or scientific collaboration, and censorship of cultural imports. While such topics were unusual diplo-

matic fare, they were not as sensitive aspects of Helsinki noncompliance as repression of dissent, persecution of religious believers, restriction of emigration and interference with journalists. Soviet delegates and their allies objected even to the mention of these latter topics. Discussions of domestic conduct in the field of human rights, the Soviets alleged, constituted interference in the internal affairs of a state (in violation of the Final Act).

Nevertheless the Soviet Union and some of the East European states counterattacked with alleged Western shortcomings, such as racism and economic injustice. In so doing they effectively conceded to the solid Western thesis that no aspect covered by the Final Act—as human rights are by the terms of Principle VII—can be purely a matter of domestic jurisdiction. Tacitly then, the East recognized the legitimacy of human rights as an issue of Helsinki compliance.

Operating under the rule of consensus, the end result of the Belgrade Conference was a terse communique noting that the meeting had been held, that the 35 countries disagreed on many issues, and that they had agreed to meet again at Madrid in 1980. The communique acknowledged the important role of the CSCE process and provided for an experts meeting on cooperation in the Mediterranean.

The Belgrade Concluding Document provided for three meetings of experts to continue the multilateral process and East-West dialogue between the follow-up meetings. Two of these, the Scientific Forum and the experts meeting on the Peaceful Settlement of Disputes already were called for in the Final Act. The third, an experts meeting on Cooperation in the Mediterranean, was the one new measure adopted by the Belgrade Meeting. These experts meetings, as the name indicates, were intended to be smaller-scale gatherings up to 6 weeks in duration, dealing with one or two specific CSCE issues. Subsidiary to the Belgrade and Madrid review meetings, the experts meetings were not empowered to make decisions, but could only adopt recommendations, by consensus, for consideration at Madrid.

The Hamburg Scientific Forum.—The Scientific Forum was a 2-week-long meeting in February 1980, preceded by a 6-week-long preparatory meeting that took place in Bonn in June-July 1978. Envisaged as a forum to bring together “leading personalities” in the scientific communities of the participating States—and in this sense the closest CSCE parallel to the Budapest Cultural Forum—the Scientific Forum was originally intended to make a substantial contribution to scientific exchanges among the participants and their scientific institutions. Most delegations, including the one for the United States, consisted mainly of scientists representing a broad range of scientific concerns and endeavors. Unfortunately, the forum took place in a troubled atmosphere, coming on the heels of the Soviet invasion of Afghanistan and the arrest and internal exile of Nobel Prize-winning physicist Andrei Sakharov. During the meeting itself, the Soviet Union was subjected to scathing criticism by a large number of delegations for the treatment of its scientists.

Significantly, the Final Report of the Scientific Forum contained a reference to the importance of human rights in fostering coopera-

tive exchanges, the first explicit reference to human rights in a CSCE document since the original commitment was made in the Final Act in 1975. The Soviets' willingness to agree to this reference demonstrated a readiness to accept strong criticism when perceived to be in their interests to do so—in this case, because, in their view, it would help preserve scientific exchanges and the continuation of the CSCE process.

Montreux Meeting on the Peaceful Settlement of Disputes (PSD).—The Montreux Meeting took place from October 31–December 11, 1978. This meeting was essentially a continuation of lengthy discussions held during the Geneva negotiations prior to the signing of the Helsinki Final Act. The basis of work at Geneva, as it was at Montreux, was a "Draft Convention on a European System for the Peaceful Settlement of Disputes," written by a Swiss legal professor. The concept of the peaceful settlement of disputes is embodied in the Final Act as Principle V of the Declaration of Principles section of Basket I.

Unfortunately, the Montreux Meeting ended without any tangible progress. The Soviet Union and its allies refused to agree to any third party mechanism which would include mandatory procedures for the settlement of international disputes, while Western and neutral countries insisted that mandatory procedures were the only way to enhance already existing methods.

Valletta Meeting on Cooperation in the Mediterranean.—The most problematic of the three experts meetings was the meeting on Mediterranean cooperation held from February 13 to March 26, 1979 in Malta. From the start of the CSCE process, the Maltese have advocated that the participating States pay more attention to the Mediterranean dimension of the Final Act. They have been particularly interested in involving states bordering the Mediterranean which are not CSCE signatories—Algeria, Egypt, Libya, Tunisia, Lebanon, Syria, Israel and Morocco—in the CSCE process and in ventures undertaken under CSCE auspices.

A wide range of proposals for enhanced Mediterranean cooperation (most introduced by Malta but some from other Mediterranean countries) were considered. Many of these proposals were later adopted as recommendations to be presented to the Madrid Meeting for further consideration and possible adoption.

The Valletta Meeting was marginally useful in encouraging somewhat greater cooperation in the Mediterranean without burdening the CSCE process with new administrative machinery and without interfering in ongoing Mediterranean projects.

Madrid.—While the first CSCE review meeting in Belgrade (1977–1978) ended with a terse communique, the second review meeting in Madrid, which expanded over a 3-year period, ended with a comprehensive concluding document.

Objectives and Results: The protracted Madrid Meeting began on November 11, 1980 in the wake of the Soviet invasion of Afghanistan and under the threat of an invasion of Poland. The United States chiefly was interested in advancing human rights issues at the conference. The neutral and nonaligned (NNA) European states and NATO allies, fearing that a repeat of Belgrade at Madrid would diminish significantly the stature of the CSCE process and exacerbate East-West tensions, were extremely desirous to end the

Madrid Meeting with a balanced and substantive concluding document. To accomplish these interdependent goals, the United States and its allies developed and maintained a strong and united NATO negotiating position at the meeting.

Adding to the complexity of the negotiations was the fact that many West European and NNA Governments, under growing domestic pressures for disarmament, were anxious that the Madrid Meeting provide an impetus for improvements in East-West relations as well as for the invigoration of arms control negotiations. Combined with a strong effort by the Soviet Union, this led to a push to include in the final document a mandate for a Conference on Confidence- and Security-Building Measures and Disarmament in Europe. The West reasoned that the U.S.S.R. and its allies, then involved in a European "peace offensive" aimed at deflecting the Intermediate-Range Nuclear Forces deployments scheduled to begin in late 1983, had a stake in bringing the Madrid Meeting to a successful conclusion in order to show the world that detente was still viable. Under CSCE rules, adoption of a concluding document requires unanimous consensus of the 35 participating States. Ultimately, therefore, it was necessary to reconcile polarized NATO and Warsaw Pact positions.

The other major theme of the Madrid Meeting was human rights. The United States and other Western Governments, with the sympathy and often with the vocal support of the NNA, meticulously documented and protested the East's worsening human rights transgressions and pushed for the adoption of remedial measures.

One year into the already deadlocked proceedings martial law was imposed in Poland and negotiations came to a standstill. The next session was attended by all NATO and most NNA Foreign Ministers, who travelled to Madrid expressly to condemn the crack-down in Poland. As it was obvious that further negotiations would neither be appropriate nor productive under the circumstances then prevailing, the meeting recessed for 8 months. During the break, the human rights situation continued steadily to deteriorate in the Soviet Union. Solidarity was outlawed in Poland and human rights conditions elsewhere in the East bloc remained grim. When delegations returned to the negotiating table in the fall of 1982, the West collectively introduced a package of tough new proposals designed to address the continuing violations in Poland and those taking place elsewhere in the East.

Finally, after a third year of contentious negotiations over human rights and military security issues, the Madrid Meeting ended September 9, 1983 much as it had begun, in a darkening East-West atmosphere. Even the adoption of a lengthy concluding document was overshadowed largely by the Soviet shootdown of the Korean passenger airliner on the eve of the Madrid closing ceremonies. There had been virtually no change for the better in East bloc human rights behavior.

Conclusion and Outlook: For 3 long years at the Madrid Meeting, Western countries succeeded in focusing attention on human rights tragedies and the Eastern countries were forced to pay a political price for their violations of the Helsinki Final Act.

The concluding document that finally emerged from the Madrid Meeting is a balanced and substantive document containing promises for improved East-West relations and the mandate for a post-Madrid Conference on Confidence- and Security-Building Measures and Disarmament in Europe. The document also reflects the West's purposeful preoccupation with humanitarian questions throughout the course of the talks. New or strengthened provisions fall largely on those areas—human rights and human contacts—where experience has shown that the greatest problems exist. The modest textual advances over the original accords include oblique references to Helsinki monitors and direct reference to the right freely to join trade unions (a legacy of Solidarity), to enhanced religious liberty, to measures against terrorism, to better working conditions for journalists and to improved procedures for family reunification.

Provision was also made for specialized or "expert" meetings on a variety of subjects, including the Ottawa Human Rights Experts Meeting and the Budapest Cultural Forum in 1985 as well as the Bern Human Contacts Experts Meeting in 1986. In addition, the document called for a successor to the Belgrade and Madrid review conferences, to be held in Vienna beginning November 4, 1986. These meetings create, in effect, a continuing framework for the consideration of a broad range of East-West issues between and among the 35 participating States and keep the door open to the possibility of some concrete progress when the international climate is propitious and the political-will emerges.

Six meetings of the 35 Helsinki signatory states were mandated to be held between Madrid and Vienna in order to explore specific CSCE subjects in more depth. Also, in observance of Helsinki's Tenth Anniversary, a commemorative meeting was scheduled to take place in Finland in August 1985.

Conference on Confidence- and Security-Building Measures and Disarmament in Europe (CDE).—On September 9, 1983, the participating States accepted the Madrid Concluding Document which contained a precisely worded mandate for CDE. According to the Madrid mandate, the aim of the CDE is to "undertake, in stages, new, effective and concrete actions designed to make progress in strengthening confidence and security, and in achieving disarmament, so as to give affect and expression to the duty of states to refrain from the threat or use of force in their mutual relations."

On January 17, 1984, representatives of the 35 participating countries, convened the Stockholm CDE Conference. Designed to enhance CSBMs contained in the Final Act, the Conference's primary purpose was to adopt measures to reduce the danger of war due to misunderstanding or miscalculation.

The objective of the United States and the West at the CDE was to reduce the risk of war by making military activities more predictable and stable, and ensuring that no weapons of any kind are ever used.

The Soviet Union and its Warsaw Pact allies sought to portray the United States as militaristic. In general, the East attempted to broaden the scope of discussions of the Stockholm Conference to include issues outside of the Madrid mandate, such as reduction of conventional arms and general disarmament.

Work on specific proposals got underway in December 1984, with the creation of subsidiary working groups dealing with: Non-use of Force; Information, Verification, and Communication; Constraints; Notification; and Observation.

During the first 2 years, progress at the Stockholm Conference had been glacial due to fundamental differences between the East and West on what constituted the main substantive concern of the meeting. While the NATO countries proposed an array of concrete measures, such as notification and observation of military exercises as well as specific arrangements to monitor and verify compliance with them, the Soviets and their Warsaw Pact allies were reluctant to address the substance of the NATO proposals, charging that they were thinly-disguised efforts at military espionage and insignificant "technical" measures.

In an effort to break the impasse at the time, President Reagan offered in his Dublin speech of June 4, 1984 to "discuss" the Soviet proposal on the non-use of force in Stockholm in exchange for Eastern agreement to "negotiate" on Western CSBMs. While indicating a willingness to deal with the question of non-use of force, the West continued to reject the other Soviet proposals as either unacceptable or inappropriate for consideration at Stockholm.

At the November summit conference in 1985, President Reagan and Soviet leader Gorbachev called for "an early and successful completion of the work of the CDE" and expressed "their intention to facilitate, together with other participating States, an early and successful completion of the work of the conference."

Another impetus for reaching agreement at Stockholm was contained in Gorbachev's mid-January 1986 foreign policy statement, in which he accepted in principle the concept of on-site verification for arms control agreements and suggested that notification of independent naval maneuvers—one of the Warsaw Pact proposals at Stockholm—be "carried over to the next stage of the Conference." In addition, Secretary Gorbachev made special reference to the CDE during the course of his address to the Warsaw Pact leadership in Budapest during the spring of 1986. At that time, the Soviet leader expressed the possibility that proposals for reductions of armed forces and conventional weapons could be discussed during a "second stage" of the CDE.

In an effort to break this impasse in Stockholm, the 16 members of NATO introduced a package of modifications to their original NATO proposal put forward in February 1984. This proposal, put forward on June 30, 1986, was designed to enhance the CSBMs contained in the Helsinki Final Act by:

- (1) Raising the numerical threshold above the original Western proposal of 6,000. The numbers under negotiation were in the range of 12,000-14,000 troops.

- (2) Providing increased flexibility regarding mobilization practices to meet the concerns of nations which rely upon the mobilization of reserve forces for their national defense.

- (3) Shortening the period of observation of notifiable military maneuvers, dropping the original requirement that observers be present for the entire duration of the exercise.

- (4) Reducing the number of proposed annual inspections from the original proposal of 2 to 1.

Following the NATO initiative, the Soviets displayed greater flexibility on the crucial issue of verification. In a plenary address, Soviet Marshal Akhromeyev, announced that the Soviet Union was prepared to permit aerial and ground inspection as part of the verification regime under consideration in Stockholm. In an attempt to avoid a deadlock between the East and West over issues concerning aircraft to be used during inspections, the NNa offered to make aircraft available for such purposes. The issue consumed considerable time during the closing days of the conference. The West eventually accepted the NNa offer while the East flatly rejected it. The official clock was stopped on the evening of the 19th as the participants worked to resolve outstanding issues. Consensus finally came on September 21, nearly 3 years after the CDE opened.

The Stockholm Document

On September 22, 1986, representatives of the 35 participating States reached consensus on the following package of CSBMs:

Notification: Each state will be required to provide 42 days advance notification of military activities above a threshold of 13,000 troops or 300 tanks.

Observation: Each state will be required to invite observers to military activities over a threshold of 17,000 troops.

Inspection: Modalities include both on-site ground and aerial inspection. Each state within the zone of application will be subject to up to three on-site inspections per year, although no state will be obliged to accept more than one inspection from the same state during a single year. While aerial inspections will utilize aircraft supplied by the inspected states, inspectors will have access to the aircraft's navigational equipment, radios, and will be allowed to take photos of the area of inspection.

Inspectors must be permitted to enter the area of inspection within 36 hours after a request has been made. Upon arrival, inspectors will have 48 hours to complete their inspection.

Forecast: Each state will be required to provide an annual calendar of military maneuvers above the 13,000 troop threshold by November 15 of the preceding year. States must provide 2 years advance notification of maneuvers involving 75,000 troops and 1 years notice for those involving 40,000 troops.

Provisions of the Stockholm Document will come into force on January 1, 1987. The Vienna Meeting will review progress made in Stockholm and determine whether to proceed to a new stage of the CDE.

Athens Meeting on Peaceful Settlement of Disputes (PSD).—A follow-up to the 1978 meeting in Montreux, Switzerland, took place in Athens, Greece from March 21 to April 30, 1984. It concluded with the adoption of a four-paragraph final report indicating a basic lack of progress, which could doom the holding of further meetings on this subject in the CSCE context.

In contrast to the outcome of the Montreux Meeting, the Athens Final Report contained no recommendation for further meetings. It simply noted that the meeting was held, that there was much discussion on the examination and elaboration of a method for peacefully resolving disputes among the 35 states, and that no consensus on such a method was reached.

Venice Seminar on Economic, Scientific and Cultural Cooperation in the Mediterranean Within the Framework of the Valletta Meeting of Experts.—The Venice Seminar, held October 16–26, 1984, reviewed progress since the Valletta Meeting of 1979 and produced a final report calling for renewed action in specific areas. Unlike the East-West dimension of most CSCE meetings, the focus of the Venice Seminar was on relations between the more prosperous northern countries of Europe, the United States and Canada, on the one hand, and the Mediterranean states on the other.

U.S. objectives at the seminar—aimed largely at maintaining the status quo—were generally achieved. The United States and other CSCE participants undertook no additional specific commitments as a result of the seminar other than to give a pledge of general support for various Mediterranean economic, scientific and cultural activities, many of which were already underway.

Ottawa Human Rights Experts Meeting.—The NATO countries viewed the HREM as a centerpiece of the post-Madrid human rights-related meetings which the West insisted upon to ensure balance between the Final Act's humanitarian aspects and its security dimension. On May 7, 1985, experts from the 35 participating States convened to discuss "questions concerning respect, in their states, for human rights and fundamental freedoms, in all their aspects, as embodied in the Final Act." The HREM was mandated to "draw up conclusions and recommendations to be submitted to the Governments of all participating States."

The United States' principal objectives for Ottawa were: to demonstrate continued concern for human rights within the CSCE framework and commitment to achieving balanced progress in all aspects of CSCE, including human rights; to conduct an exhaustive review of compliance with CSCE human rights provisions, encouraging resolution of human rights cases; to encourage improved implementation of the Helsinki and Madrid human rights provisions through agreement on new measures; and, to counter efforts by the East to portray their social and economic systems as superior to those of the West in fulfilling human social and economic aspirations.

As early as the Ottawa preparatory meeting, which took place the 2 weeks immediately prior to the main meeting, it was evident that the Soviet Union and its East European allies viewed Ottawa chiefly as a "damage control" exercise. During the review of implementation phase of the meeting the West and sympathetic neutrals thoroughly addressed the East's human rights violations of freedom of expression, trade union and national minority rights, and freedom of religion as well as poor Soviet performance in the social and economic area. In response to the criticism, the Soviet delegation delivered a series of strident broadsides against the ills of capitalist society, taking particular aim at the United States and Britain.

Due to Soviet intransigence, the meeting failed to fulfill the second part of its mandate—the drawing up of conclusions and recommendations. Increasingly isolated and resentful for their obstructionism, the Soviets refused to deal seriously with Western and neutral proposals related to improved human rights performance, in the end going so far as to block consensus on a recommendation

that the Vienna Meeting even consider holding another HREM. The West and the neutrals reaffirmed their essential unity of views and values on human rights, agreeing at the close of the HREM that no final document was preferable to one which would merely paper over differences.

An important legacy of the Ottawa Meeting was the draft document OME.47, a collection of conclusions and recommendations put forward by 17 Western countries (NATO states plus Ireland), which reflected a common human rights agenda.

The Helsinki Tenth Anniversary.—At the invitation of the Government of Finland, the Foreign Ministers of the 35 participating States met July 30 through August 1, 1985 in Helsinki to commemorate the Tenth Anniversary of the Final Act's signing.

Speaking for the United States, Secretary of State George Shultz said that it had no illusions in 1975, and has none today. Words alone cannot strengthen security and nurture freedom. "The message of the Final Act," Shultz stated, "was that we can reduce the divisions in Europe, that we can ease the sufferings they have caused, and that we can someday hope to see an undivided peaceful continent, if we are wise enough, practical enough, dedicated enough. . . . We all knew that it would not be easy to turn our hopes into reality. We knew that our expectations about what could be would have to be tempered by realism, that progress might come slowly." Secretary Shultz concluded that the lesson of the first 10 years of the Helsinki accords is that "greater security and a more stable peace among our nations depend on greater freedom for the people of Europe." This same theme was sounded repeatedly throughout the 3-day observances by all NATO ministers and by the vast majority of neutral and nonaligned envoys.

The new Soviet Foreign Minister Eduard Shevardnadze called the Helsinki Final Act a "document of truly historic significance" which "orients states to live in peace, to cooperate fruitfully, and not to foist one's own views and rules upon others." Shevardnadze's address was measured but heavily weighed with Soviet peace propaganda and allusions to a revival of detente. The thrust of his message was designed to skew Helsinki efforts away from human rights toward the Soviet conception of European security.

The Budapest Cultural Forum.—At the invitation of the Government of Hungary, a 6-week Cultural Forum convened in Budapest October 15, 1985. The Forum, attended by "leading personalities in the field of culture from the participating States," was mandated to discuss "interrelated problems concerning creation, dissemination and cooperation, including the promotion and expansion of contacts and exchanges in the different fields of culture." In all areas where Soviet agreement was not required, the results were good; where consensus was required, the Soviets and their allies blocked progress. Frank discussion of human rights-related cultural problems was possible but agreement on a substantive concluding document listing these problems was not. Contrary to the hopes and expectations of many delegations, the Reagan-Gorbachev summit in Geneva had no perceptible impact on the Forum.

Going into the Forum, the United States had several main objectives, all shared in greater or lesser degree by its allies. First, it was considered fundamental that there be a frank exposition of the

problems of cultural creation, dissemination and cooperation in the East-West context, including specific reference to the human rights-related issues which underlie those problems. The U.S. delegation (and other Western delegations) and a number of cultural personalities confronted a number of these issues head-on, naming both culprits and victims.

A second major goal was to assure the proper conditions for the activities of private groups and individuals present in Budapest during the Forum. When the U.S. at the Madrid Meeting, agreed to Budapest as the site for the Forum, the Hungarian Government promised to observe the Madrid precedent for treatment of nongovernmental groups and individuals. As it turned out, the Hungarians, in a formal sense, reneged on their commitment by refusing to permit NGO activities—primarily a series of seminars on cultural freedom organized by the International Helsinki Federation—to take place in hotel rooms. However, in practice, they were flexible and allowed the same activities to take place in private apartments. Given the reality in Eastern Europe, most observers, including the private participants, felt that the practical resolution of this problem was a positive outcome.

A third objective was to provide an opportunity for all cultural personalities to engage in a give and take discussion with their counterparts from other participating States. This aim was only partially achieved in the Forum itself because of the near total Soviet insistence on strict observance of CSCE procedures requiring speakers' lists and containing no limitation on the length of speeches. Outside the Forum, there were greater opportunities for more informal contacts among the cultural figures, which were exploited to some extent. An unexpected development was the initial hesitation or disinclination of a number of cultural personalities to discuss basic impediments to greater cultural cooperation such as censorship, jamming and travel restrictions. As the Forum wore on and more experience was gained, this initial reluctance to tackle core issues became less of a problem.

It was clear that the Soviets had decided early on against any kind of a substantive concluding document at Budapest, even one doing little more than listing the more than 200 proposals put forward by delegations and cultural personalities themselves during the Forum. The most the Soviets could have accepted was a short, factual statement along the lines proposed by the Hungarians at the last hour and unexpectedly vetoed by their fraternal Romanian neighbors. The Western countries in the end produced a proposed final document representing their views, BCF.116. While not adopted along with an Eastern proposal and an informal neutral compromise effort, BCF.116 presents a good, balanced statement of Western views toward East-West cultural relations.

Bern Human Contacts Experts Meeting.—Among other human contacts measures considered at Madrid, the Helsinki Commission staff initially proposed the idea for what later was to evolve into a Human Contacts Experts Meeting (HCEM). With great reluctance, and in order to facilitate agreement on their prime objective at the review conference—the CDE—the Soviets agreed to the HCEM near the end of Madrid. The meeting convened April 15, 1986 in Bern, Switzerland, 1986, in accordance with the mandate "to dis-

cuss the development of contacts among persons, institutions and organizations," the results of which were to "be taken into account, as appropriate, at the Vienna Follow-up Meeting."

A primary goal of the United States at Bern was to achieve better compliance on existing commitments. For the first time in CSCE, several Western countries witnessed some significant results occurring within the context of an ongoing CSCE meeting. The Romanian delegation announced the resolution of about one-half of the cases presented to it by the United States. The Bulgarians resolved 12 of 18 U.S. representation list cases the week before the Bern Meeting opened. On the last scheduled day of the meeting, the Soviet authorities in Moscow gave U.S. officials the names of 36 families whose cases were to be resolved. Within 10 days the names of an additional 29 families to be given permission to emigrate were announced. In all, the resolution of the Soviet cases would affect about 200 persons.

A second primary goal was to examine how the human contacts provisions of Helsinki and Madrid have been implemented thus far. The freer flow of people across East-West borders was forthrightly raised as the overriding humanitarian theme of the Bern Meeting. The West forcefully raised problems regarding family visits, family reunification, binational marriages, travel for personal and professional purposes, trade union contacts, postal and telephone communications, and contacts between members of a religious faith or a national minority. In light of the Chernobyl nuclear accident in the Soviet Union, which occurred during the course of the meeting, the U.S. delegation called upon the Soviet Union to improve channels of communication between Soviet citizens and their relatives in the West. The discussion, which often went into considerable detail on these issues, was direct but did not evoke responses from the East as confrontational as those at meetings in Ottawa and Budapest.

After a discussion of various new proposals submitted by both East and West, the West introduced a draft final document, BME.47, which distilled Western concerns and offered practical new provisions designed to reduce obstacles to East-West contacts. The East also tabled a document, BME.48, which attempted to divert attention from their implementation shortcomings.

As the meeting drew to a close, the neutral and nonaligned nations submitted a draft compromise document, BME.49, which incorporated elements from both Eastern and Western papers. While, as finally refined, all other 34 states indicated they could accept BME.49, the U.S. delegation at the last minute surprised the meeting by casting a lone veto, arguing that the text was so filled with loopholes and qualifications that any positive elements it contained would be outweighed by its shortcomings. Many delegations expressed strong disagreement and disappointment with the U.S. decision, but they agreed that the discussion at Bern in itself had made a useful contribution to the promotion of contacts between the peoples of East and West.

POSITIVE ASPECTS OF CSCE PRINCIPLES

Public diplomacy and the CSCE principles

The "Declaration of Principles Guiding Relations Between Participating States" stands at the heart of the Helsinki Final Act. These 10 principles set forth basic standards by which the signatory states agree to behave in their relations with one another, as well as the spirit in which they will conduct their relations with states not signatory to the Helsinki Agreement. As such, the Declaration can be considered the most important political element in the entire Helsinki document.

As anticipated, the provisions of the Declaration of Principles in Basket I have not been fully implemented since the signing of the Final Act in 1975. The Declaration has, however, helped to focus public attention on three issues—human rights abuses, the Soviet invasion of Afghanistan, and events in Poland during the past several years—which constitute instances of noncompliance. The principles have supplied the participating States with a justification and a useful diplomatic tool with which to call public attention to these and other violations of the Final Act. They have also constituted an international standard by which participating States can be held accountable.

The CSCE principles and the process originated at Helsinki have helped to establish human rights as a legitimate issue of international concern, and have provided additional instruments for calling attention to and promoting greater respect for such rights. In this sense, the entire process of CSCE has been a source of hope to citizens of the Soviet Union and Eastern Europe.

The comprehensive, probing review of implementation, held during the follow-up conferences in Belgrade from 1977-78 and in Madrid from 1980-83, clearly established the legitimacy of the human rights issue in East-West discourse. It is now generally recognized by the CSCE signatories that the manner in which a state treats its own citizens is of legitimate concern to all the other states in the Helsinki process and an integral element in building confidence and security among them.

The mere holding of the Belgrade and Madrid Review Meetings created political pressures which helped bring about some progress in human rights in the nations of Eastern Europe. These countries, wishing to diminish potentially embarrassing criticisms of human rights violations, took steps—some significant, others more cosmetic—prior to the review meetings to ease repressive or restrictive practices which might have been subject to criticism during the implementation review. In some countries, political prisoners were given amnesty, political dissidents permitted to emigrate and a number of long-standing family reunification cases favorably resolved. This pressure for compliance, induced by periodic review meetings such as Belgrade and Madrid, has made the Helsinki process a significant and unique tool of international diplomacy through which the violators of human rights have been held accountable for those actions which contradict the Final Act.

Political relations and contacts with Eastern Europe

Among the political benefits of the CSCE process is that it serves, through various bilateral and multilateral contacts, as a channel for political dialogue with the East even when other forums have been reduced in status or suspended. It has thus contributed to more regular and stable East-West relations, despite continuing tensions and differences.

The Helsinki process has also provided a valuable multilateral framework which has encouraged bilateral discussions and high-level contacts between the United States and the nations of Eastern Europe other than the Soviet Union. The commitments undertaken at Helsinki—contained in the principles and, indeed, throughout the Final Act—have facilitated the United States' pursuit of a policy of differentiation in its relations with the countries of Eastern Europe. The Helsinki framework has enabled East European nations to engage in bilateral endeavors with the West, including the United States, that were not previously possible and has given the East European states marginally greater room for maneuver vis-a-vis the Soviet Union in conducting their foreign and domestic policy. This limited increase in flexibility has been demonstrated in the series of bilateral meetings covering the broad range of CSCE issues, including human rights, held between the United States and many of the East European countries since the end of the Belgrade Meeting in 1978.

These bilateral consultations provided the framework for a broader and more indepth exchange of views on both bilateral and international issues than would ever have been possible before the initiation of the CSCE process. For the most part, these talks were held between the Belgrade and Madrid Meetings as part of the bilateral approach to implementation called for in the follow-up section of the Helsinki Final Act. A new round of bilaterals is expected to take place around the time of the Vienna review conference in late 1986.

A unique and direct result of the human rights dimension of the Final Act were the two bilateral roundtable discussions on human rights issues held between the United States and Romania. Conducted in Bucharest in February 1980 and in Washington in February 1984, these human rights roundtables provided valuable opportunities for the United States to encourage improvements in Romania's human rights performance. Use of the human rights roundtable format was specifically endorsed by the Madrid Concluding Document. In addition to these bilateral U.S.-East European talks on CSCE issues, the Helsinki era ushered in a series of high-level talks between the United States and Eastern Europe in which CSCE issues were discussed at length.

The Helsinki monitoring movement

Following the signing of the Final Act, Principle VII, respect for human rights and fundamental freedoms, unexpectedly sparked a new awareness of and demand for basic human rights throughout the Soviet Union and the rest of Eastern Europe. The mass circulation of the text of the Final Act in the media of Eastern Europe made millions familiar with the important precepts on human

rights and fundamental freedoms which recently their Governments freely had endorsed. This development and what followed was welcomed by the United States as a positive step forward.

Beginning in May 1976, voluntary Helsinki Monitoring Groups were formed, first in Moscow and later in Lithuania, Ukraine, Georgia and Armenia. These small but unique and unprecedented citizens' groups were comprised of individuals guided by the Principle VII recognition of their right to "know and act upon" their rights. Seeking to encourage the Soviet authorities to bring their human rights practices more into line with the pledges it had made in Helsinki, these groups published numerous reports documenting violations of human rights. Numerous other monitoring groups concerned with specific issues covered by the Final Act's Declaration of Principles also emerged in the U.S.S.R. after 1976, many of which were affiliated with the original Helsinki Monitoring Groups. These included the Working Commission on Psychiatric Abuse, the Christian Committee to Defend the Rights of Believers, the Association of Free Unions of Workers (AFTU) and the Free Interprofessional Association of Workers (SMOT). In June 1982, the first unofficial peace group in the U.S.S.R., called the Group to Establish Trust Between the U.S.S.R. and the U.S.A., was formed in Moscow. This group issued appeals calling upon both the United States and the Soviet Union to end the arms race and specifically urged the U.S.S.R. to bring its practices, including the handling of foreign mail and access to foreign journals, into line with international norms. Regrettably, members of all these groups have been subjected to varying forms of harassment and repression including imprisonment and incarceration in psychiatric hospitals.

Similar citizen Helsinki Monitoring Groups were established in several other East European countries. In January 1977, in Czechoslovakia, approximately 300 citizens signed Charter '77 and formed a loose-knit organization which has published voluminous reports on the status of the Czechoslovak Government's implementation of its own laws and international obligations, including the Helsinki Final Act. Today, despite continued harassment and imprisonment, particularly of its leaders, there are over 1,000 signatories of Charter '77. In 1978, an affiliated group, the Committee for the Defense of the Unjustly Persecuted (VONS) was formed to report and document violations of basic human freedoms.

In Poland, the Committee on Worker's Self-Defense (KOR) was formed in September 1976 by a small group of intellectuals dedicated to defending the rights of striking workers in the city of Radom. In 1977, KOR broadened its activities to include the wide range of human and civil rights in Poland, and in 1979 organized Poland's first Helsinki Monitoring Committee, which like its counterparts in the other East European countries, has issued a series of reports documenting the observance of human and civil rights in Poland. KOR was subsequently instrumental in the formation of the free trade union, Solidarity, in August 1980, and key members were arrested after martial law was imposed in 1981. These members were released from prison in the July 1984 conditional amnesty. Today, a newly constituted Helsinki Committee, closely affiliated with the Solidarity Underground, regularly issues reports documenting human rights violations in Poland.

Clearly, the Helsinki Final Act and, specifically, the Basket I Declaration of Principles has kindled new hopes and evoked new awareness of human and civil rights throughout Europe and North America. Despite the repression of many of the members of the various Helsinki Monitoring Groups in the East European countries, these groups have demonstrated that the Helsinki Final Act is a unique and unprecedented means of exposing human rights abuses in their respective countries.

The Final Act prompted the establishment of a Helsinki monitoring movement in the United States and Western Europe as well. The Commission on Security and Cooperation in Europe, a U.S. Government agency, was formed in 1976 and charged with monitoring and encouraging Helsinki compliance in Eastern Europe as well as the United States. In the private sector, the New York-based Helsinki Watch Committee was established in 1978 and has issued numerous comprehensive reports on the status of human rights in CSCE signatory nations, including the United States. Helsinki Watch has counterparts in eight European countries and together these organizations form the International Helsinki Federation for Human Rights with headquarters in Vienna. The Helsinki process also reinvigorated the many existing human rights, ethnic and religious organizations in North America and Europe who focused their efforts on achieving compliance with the principles of the Final Act.

Strengthening NATO unity

From the U.S. perspective, one of the most important contributions of the CSCE process has been the possibilities it has afforded for the strengthening of unity and cohesion among the NATO allies. The approach of the United States to many of the significant issues raised by the Helsinki Final Act often has differed from that of West European allies. Nevertheless, these differences have been resolved and the NATO group has consistently been able to speak and act in concert. Such unity of purpose has been critical to the progress that has been made in CSCE.

NATO unity has been preserved and strengthened through an elaborate caucusing mechanism in which differences between the allies have been meticulously ironed out. The focal point of these discussions has been NATO headquarters in Brussels, where CSCE issues are considered on a regular basis. During CSCE review or experts meetings, the heads of delegation of all the NATO countries regularly meet as a NATO caucus to discuss pertinent developments and to coordinate policy. The success of these NATO caucuses at the Belgrade and Madrid Meetings, as well as at the numerous experts meetings held in the CSCE process, has significantly advanced the spirit of allied unity among NATO countries, particularly at a time when the alliance has been under stress in other areas.

THE EUROPEAN VIEW

On the basis of information supplied to the Commission by other signatory states, a clear picture emerges that in Western Europe, as in the United States, the Helsinki Final Act and, in particular,

its Basket I Declaration of Principles, is considered to have brought several nonquantifiable yet important political benefits. Broadly speaking, these countries consider the central contribution of the CSCE process, embodied in the principles set forth in Basket I, to be the establishment of a lasting framework of East-West relations, within which both sides have been forced to confront and deal with a wide array of important political, military, social and cultural issues.

For the West Europeans, the CSCE process has added a new multilateral dimension to relations in Europe, setting relations between them, despite occasional setbacks, on a new more forward-looking course, aimed at increasing dialogue and mutual understanding. More specifically, the Europeans see the principles of the Helsinki Final Act as having provided a series of political advantages to the West including fostering high-level political contacts, the establishment of human rights questions as legitimate topics of international attention, and the establishment of a continuing monitoring process for human rights and other CSCE issues. Other benefits have included the encouragement of more independent activity by the nations of Eastern Europe and the increased significance of the role of the neutral and nonaligned (NNA) countries in solving the problems confronting contemporary Europe.

High on the list of significant contributions of the CSCE process in the view of many West European states is the notion that the Helsinki Final Act and its principles have enhanced the normal fabric of East-West bilateral relations by building upon established principles of mutual cooperation and supplementing them in fields not covered by existing bilateral treaties and arrangements. This has been particularly true in the case of the F.R.G.-G.D.R. relationship.

As Austrian Foreign Ministry officials have pointed out, the CSCE process has helped to maintain, in the troubled 1980's, a modicum of bilateral cooperation between East and West built up during the detente era of the 1970's. Corresponding to this view, French officials emphasized that the Helsinki process has provided the only forum within which all European countries (with the exception of Albania) can meet consistently together and currently contributes the only effective forum wherein East and West are talking on a regular basis. The French consider the CSCE framework to be the only concrete proof of the unity of Europe. Others consider CSCE as one of the few surviving elements of detente.

Some West European countries take this notion even further. Finnish Foreign Minister Paavo Vayrynen has expressed concern that, without CSCE, East and West currently would hardly be talking to one another and that there would be no instrument to discuss serious East-West issues. An official of the Dutch Foreign Ministry has emphasized the importance of the CSCE process as a natural channel of communication—a channel significantly kept open by the East when it had closed others in the wake of the NATO decision to deploy intermediate-range nuclear weapons in Europe. In fact, the CSCE process has provided the forum for all of the high-level political contacts held between the U.S.S.R. and the U.S. in 1983 to 1985, a time when bilateral relations were at a low point. Secretary of State George Shultz met with Soviet Foreign

Minister Andrei Gromyko in September 1983 at the conclusion of the Madrid Meeting, in January 1984 at the inaugural session of the Stockholm CDE Conference, and at the Helsinki Tenth Anniversary in August 1985, where Secretary Shultz and Soviet Foreign Minister Shevardnadze met for the first time. These CSCE meetings also provided opportunities for bilateral contacts among the other Foreign Ministers of Eastern and Western Europe. The ability of the CSCE process to weather storms in East-West relations was again demonstrated September 22, 1986, when the signatories reached consensus on a Stockholm document amid the tensions created by the hostage-taking of journalist, Nicholas Daniloff, which was threatening a United States-Soviet summit.

The proven durability and timelessness of the Final Act's Declaration of Principles are viewed by some West European states as enabling the nations of Europe to deal with crisis management situations in times of East-West tensions. In the view of Austria, the Helsinki process has contributed to a more relaxed atmosphere in Europe and, in many respects, has contributed to the development of less complicated procedures in the shaping of European political relations.

However, most West European states stop short of directly crediting CSCE for specific improvements in bilateral relations with nations of the East. Many of these improvements had been set in motion before the signing of the Helsinki Final Act and thereby could not be attributable solely to the influence of the CSCE process. For instance, Austrian officials note that the provisions of the Final Act's Declaration of Principles had been guiding Austria's relations with Eastern Europe even before 1975, and therefore could not be said to have a direct influence on its substantive relations with those nations. A notable exception to this case was the Federal Republic of Germany, which stresses that the F.R.G.-Polish agreements of 1975, that eventually enabled 270,000 ethnic Germans living in Poland to resettle in the F.R.G. bore a direct relationship to the signing of the Helsinki Final Act.

Most West European sources observe that high-level political contacts and visits with the countries of the East had increased since the CSCE process began, but notably do not attribute this increase either solely or directly to Helsinki-related factors. However, many do emphasize that CSCE had created the framework, despite increased East-West tension in recent years, for these bilateral and multilateral contacts to continue and even, in some cases, to expand. For instance, Greek officials note that they make reference to the Final Act in all agreements signed with the countries of Eastern Europe, but admitted that it was difficult to determine whether it was existing government policy or the Final Act which was responsible for the agreements themselves. Officials of the Federal Republic of Germany directly credit the CSCE process with having facilitated governmental contacts with the G.D.R., particularly the increasing high-level political contacts of recent years.

In the view of the West Europeans, the original Soviet goal of using the CSCE, particularly the Declaration of Principles, as a surrogate peace treaty ratifying the post-war political situation in Europe, has failed. CSCE has not led, as some had predicted, to a consolidation of Soviet domination over Eastern Europe. Nor has it

generated measures towards change in Western Europe. On the contrary, according to officials of the United Kingdom, the Final Act established a standard of behavior and values which already existed in Western Europe. While the Final Act did not require any fundamental changes in the societies of the West, it has in the East.

In addition, as pointed out by U.K. officials, the Final Act's Declaration of Principles, particularly Principle I on the sovereign equality of states, which recognizes the right to change frontiers by peaceful means, has provided the opportunity for the West, and particularly the F.R.G., to address the question of German reunification, as well as the general problem of the division of Europe, in a peaceful way.

Several countries noted that the principles of the Final Act have helped increase the maneuvering space of the smaller East European states vis-a-vis the Soviet Union. In this view, which is shared by the U.S. Government, the CSCE process has enabled the Soviet Union's Warsaw Pact allies to operate, at least marginally, more independently and more freely in multilateral endeavors in Europe. In addition, as noted by Foreign Ministry officials in the Netherlands, the people of the countries of Eastern Europe have attached great importance to the Helsinki principles as safeguards of national sovereignty.

A point stressed by several West European countries is that an important aspect of the CSCE process is the active participation of all European states, each having equal rights and, thereby, an equal voice in the future of the process. This political fact was deemed to be particularly important to the NNA countries who have endeavored to use their participation in the CSCE process to expand their political influence in Europe and their impact on issues heretofore considered solely in the domain of East-West relations. Noteworthy in this regard has been the key mediating role the NNA states have played at many fora held as part of the CSCE process, particularly the Madrid Meeting and Bern Human Contacts Experts Meeting. Similarly, the Stockholm CDE Conference has given the NNA countries an unprecedented opportunity to participate directly in important security negotiations affecting Europe.

The West European CSCE states are in basic agreement that the CSCE review mechanism, embodied in periodic review conferences such as Belgrade, Madrid and Vienna have added a new and valuable dimension to the CSCE process. As one Western CSCE signatory emphasized, the Helsinki process has brought the issues of human rights and human contacts into the focus of international attention. These sentiments have been echoed by officials of the United Kingdom who emphasize that CSCE has helped raise certain issues in a direct way with the countries of Eastern Europe which, prior to the Helsinki era, would have been difficult. Through the CSCE review mechanism, these Eastern countries have been forced to confront and discuss issues they would prefer to avoid, most notably, human rights. Similarly, Dutch officials emphasize that meetings like Belgrade and Madrid provided useful fora for calling attention to Soviet and East European human

rights violations. The pressure of review conferences of this sort has, in their view, a positive effect on implementation.

This view was also endorsed by many non-NATO countries. According to Swedish Foreign Ministry officials, the Helsinki Final Act and specifically Principle VII, the human rights principle, has legitimized international action and a process of criticism in matters relating to the safeguarding of human rights. Officials of the Holy See stressed that the CSCE principles opened a "Pandora's Box" permitting people recourse to action in terms of human rights and creating possibilities for concerned people throughout Europe to raise human rights issues directly with East European Governments, thereby making human rights a legitimate topic of international discourse. Through the CSCE process, many countries stressed, both East and West have had to acknowledge the mutual right to monitor implementation of all the provisions of the Final Act.

French officials carry this argument further. The principles of the Helsinki Final Act, they emphasized, permitted the West to maintain permanent pressure on human rights issues, and to make a direct connection between human rights and security issues in Europe. Without the Final Act, they note, the human rights movements in the U.S.S.R. and Eastern Europe would not have been able to operate as long as they have. The linkage of their activities to the principles of the Final Act has provided them extra latitude with the authorities in Eastern Europe.

The Europeans, however, are acutely aware of the limitations of the CSCE process and caution against excessive public expectations in human rights and other Helsinki-related issues as well. Most could agree with the sentiments expressed by former Swedish Prime Minister Olof Palme in his address to the inaugural session of the Stockholm CDE Conference. Despite progress in some areas, he said, respect for human rights in Europe had certainly not increased to the extent aimed at in Helsinki. While recognizing this fact, many cautioned that the CSCE process was geared to the long-term, that it could not bring about immediate, far-reaching improvements in various CSCE fields nor heal the ideological rift between East and West. In their view, it was never realistic to expect that CSCE standards of behavior would be implemented overnight. Nor could the CSCE process be counted on to preclude crises or setbacks in East-West relations.

Rather, in the European view, through the CSCE, a process of slow improvement of relations could be achieved. French officials stress that the spirit of Helsinki should not be viewed as something already achieved but as a dynamic, ongoing process with its own fluctuations. Similarly, officials in the United Kingdom stress that because one country might violate certain provisions of the Final Act, these actions by no means signified that the provisions were worthless. On the contrary, the French assert that while the Final Act had created the unfortunate illusion to some that relations with the Soviet Union had normalized, the CSCE process had nevertheless helped the West maintain relations with the East even during the worst of times. The mere existence of the CSCE process, in this view, has had a beneficial effect on life in all of Europe. Despite repeated violations of its provisions, the Helsinki Final Act

remains a fixed point of reference for public opinion in both East and West Europe.

While disappointment was expressed in many countries with the overall level of progress made in implementing the Final Act's human rights provisions, the Holy See emphasizes that the CSCE process had opened up unprecedented possibilities for improved respect for religious liberty in Eastern Europe. Improvements were particularly noted in the dissemination of religious material, in the well-being of various, but certainly not all, religious communities, and in the opportunities for increased contacts between these communities and the outside world.

THE CONSEQUENCES OF RENUNCIATION OF THE FINAL ACT

Arguments for renunciation

There have been suggestions that the United States unilaterally renounce, or threaten to renounce, the Helsinki Final Act on the grounds that continuing and egregious violations of the human rights provisions by the Soviet Union and its East European allies have, in effect, rendered the agreement meaningless. This argument views the Final Act as a trade-off between the Soviet desire for Western ratification of the post-World War II borders in Europe and the Western desire for Mutual and Balanced Force Reductions (MBFR) talks. In addition, to gain additional support for CSCE, the Soviets agreed to a set of provisions concerning human rights. Since Helsinki the Soviets and most of its allies in Eastern Europe have shown continuing and contemptuous disregard for the human rights commitments under the Final Act, and therefore, the United States need no longer be bound by its commitments under the Act. Indeed, according to this argument, continued U.S. involvement in CSCE serves to hide these violations and perpetuates the illusion that the Soviets have respectable humanitarian concerns.

The argument concludes that this "charade" should stop. If the United States should move to renounce the Final Act, hopefully in conjunction with some NATO allies, there is a possibility the Soviets and East Europeans might reconsider some of their policies in order to save what they may have to gain in the CSCE process. If not, they would at least get the message that there is a high price to pay for their poor human rights performance. Technically, all that is needed to renounce the Final Act, which is not a formal treaty and therefore a nonbinding declaration of intent, is for the President to undo with a stroke of the pen that which President Ford signed for the United States in 1975. In short, it would be a legal, nonbelligerent and cost-free way to make evident U.S. abhorrence of East bloc human rights performance.

Legal considerations of renunciation

There is no doubt that the Soviet Union and the countries of Eastern Europe have been guilty of gross violations of the Final Act. According to legal experts from the Department of State and the Library of Congress, the President can unilaterally renounce the Final Act. From an international legal point of view, it makes no difference whether the act of renunciation be directed toward all the signatories or merely toward one, although in terms of the

Final Act itself, renunciation toward an individual state would appear to be a violation itself ("[The participating States] declare their determination to respect and put into practice, each of [the principles] in its relations with *all* other participating States."). Furthermore, as a practical matter renunciation vis-a-vis an individual state would appear to be difficult or politically impossible because of the likely reaction of the other states and the emphasis on cohesion and indivisibility throughout the CSCE process. Finally, renunciation of the nonbinding Final Act would not leave the United States with residual commitments upon which we could lay subsequent claim.

World War II boundaries

Contrary to a widespread and continuing public belief, fostered by the Soviets and the Western press at the time of the Helsinki signing, the expert legal view of the effect of the Final Act on Europe's World War II boundaries is that, basically, the document makes no difference since it goes no further and, in some cases, not as far as previous international arrangements on frontiers. Moreover, rather than constitute a consolidation of Soviet territorial claims, the Final Act language is substantially less than what the Soviets sought at the outset of the negotiations. Consequently, the claim that the Soviets achieved legal ratification of World War II borders at Helsinki and that, by renouncing the Final Act, the United States could withdraw its ratification, is a specious argument.

Advantages of U.S. renunciation for the East

It is highly questionable whether U.S. renunciation of the Final Act would mean an end to the CSCE process. There were signs from the beginning of the process that the Soviets strongly preferred to have CSCE with the Americans looking on from the outside. It was only the insistence of the NATO countries which forced the Soviets to accept the United States as a participant. How the leadership in Moscow now views U.S. participation is open to question, but given previous Soviet opposition and sharp U.S. criticism of human rights abuses at the Belgrade and Madrid Review Conferences and the Ottawa Human Rights Experts Meeting, it seems reasonable to conclude that they might not be displeased to see the United States as the outsider and to see themselves as the dominant force in CSCE. The commensurate gains in seeing the United States removed from an important European forum and separated from its allies might be a very acceptable counter-balance.

Effect on other CSCE participants

U.S. renunciation of the Final Act would most likely produce a strong negative effect among other participants. Since most West European nations hope for some concrete long-term results from CSCE and see the U.S. emphasis on human rights as a possible impediment to progress in other areas, it is doubtful whether even its closest NATO allies could be persuaded to go along with the United States. A more probable result would be that allies and others would interpret withdrawal as a sign of decreased U.S. interest and influence in Europe. For many, there is the belief that there is a

better chance of altering Soviet behavior through CSCE than without it. They could well conclude that the United States does not care to be a part of the first all-European effort to reduce tension and that the United States prefers to retreat from a tough problem rather than fight for what it believes.

The dissidents

Dissidents initially reacted negatively to the Helsinki Final Act. They felt it legitimized Soviet annexation of the Baltic states and other territories after World War II. Soon, however, dissidents had discovered that the Helsinki accords made human rights a legitimate item on the international diplomatic agenda. Acting on that discovery, citizen Helsinki monitoring groups were established in various parts of the U.S.S.R.; the movement also spread into Czechoslovakia and later to Poland.

As the Soviet human rights situation worsened in the early 1980's, some emigre dissidents, including some who were Helsinki monitors, have again rejected the Helsinki accords. Generally, they reject the Final Act because the Helsinki process has not resulted in prisoner releases—especially of those imprisoned in the U.S.S.R. for their Helsinki monitoring. They believe that the threat of renouncing Helsinki can cause the release of those monitors who are currently serving sentences for their activities. They conclude that the continuation of the Helsinki process in its present form legitimizes oppressive systems and can have only negative effects.

This argument arose solely among Soviet emigrants. Soviet and East European Helsinki-watchers and other dissidents have declared repeatedly that Western pressure on their governments provides their staunchest support. U.S. withdrawal from CSCE would presumably have a devastating effect on these individuals and others who might be inclined to follow them. How could they not help but think, buttressed by Soviet propaganda, that the United States had abandoned them?

Basis for complaint

Since there is little chance that the other Western participants would allow the United States to renounce its CSCE commitments vis-a-vis the Soviet Union alone, the only way open is renunciation toward all participants. Either way the United States would lose its right to review and criticize Soviet and East European shortcomings in violation of the Helsinki Final Act. As Belgrade and Madrid have shown, without a strong U.S. voice in the lead, there is little inclination among other CSCE signatories to hold the Soviets to account on such politically sensitive subjects as human rights. The net result of a U.S. withdrawal could be silence.

CONCLUSION

Looking ahead

On November 4, 1986, in Vienna, the 35 CSCE signatories commenced the third review meeting of the Conference on Security and Cooperation in Europe (CSCE). Like the two previous meetings, Belgrade (1977-78) and Madrid (1980-83), Vienna will have a three-fold function: a review of the implementation records of the partici-

pating States, the consideration of new proposals to enhance the provisions of and promote compliance with the Final Act (and the Madrid Concluding Document), and the possible adoption of a concluding document. The meeting will examine all aspects of CSCE—humanitarian (human rights and human contacts), security, economic and other forms of cooperation—and will examine the outcome of the six post-Madrid subsidiary meetings on specific areas.

As the United States begins the Vienna Review Meeting of the CSCE, it knows from the past 11 years of tough negotiations that the West faces an uphill fight in its continuing effort to preserve and promote the human dimension of CSCE.

From the beginning, the United States has struggled to preserve balance in CSCE among all its aspects, but particularly between its security and humanitarian aspects. The United States has worked to counter Eastern efforts to turn the process into a one-dimensional security platform for Soviet peace propaganda. The challenge in Vienna to maintain real balance between the security and humanitarian aspects of CSCE will be especially difficult to achieve in light of General Secretary Gorbachev's recent initiative on conventional arms control, which he suggested might be folded into CSCE via the Stockholm CDE and the recently adopted Stockholm Agreement.

The Helsinki process was painstakingly started in Geneva. It has developed slowly and has suffered many setbacks. But, despite its imperfections, the Helsinki process is an important instrument of diplomacy for the United States and for the other Western democracies. In East-West relations, the Helsinki process has become a vehicle by which concerns in humanitarian, military, political, economic, social, cultural and other fields routinely are raised and discussed. Helsinki's European focus ensures that debate remains centered on an area where Western ideas fall on fertile soil. The future of the process will remain dependent on persistent efforts to bring its promises to fruition.

CHAPTER THREE—SECURITY IN EUROPE

INTRODUCTION

The first section or "basket" of the Helsinki Final Act has two main parts. The first part is a declaration of 10 principles guiding relations among states. It sets forth generally accepted precepts of international behavior which the CSCE participating States agree to observe in relations with one another as well as with other states. The second part of Basket I is devoted to security issues. Here the participating States endorse certain confidence- and security-building measures (CSBMs) that are designed to remove some of the secrecy surrounding military activities; they also make certain more general pledges with respect to the importance of arms control and disarmament.

DECLARATION OF PRINCIPLES GUIDING RELATIONS AMONG STATES

The following 10 principles are contained in the declaration of principles guiding relations among states in the Helsinki Final Act:

Principle I.—Sovereign equality, respect for the rights inherent in sovereignty;

Principle II.—Refraining from the threat or use of force;

Principle III.—Inviolability of frontiers;

Principle IV.—Territorial integrity of states;

Principle V.—Peaceful settlement of disputes;

Principle VI.—Nonintervention in internal affairs;

Principle VII.—Respect for human rights and fundamental freedoms, including freedom of thought, conscience, religion, or belief;

Principle VIII.—Equal rights and self-determination of peoples;

Principle IX.—Cooperation among states; and

Principle X.—Fulfillment in good faith of obligations under international law.

SOVIET OCCUPATION OF AFGHANISTAN

In direct violation of at least half of the principles of the Final Act, approximately 120,000 Soviet troops remain in Afghanistan, nearly 7 years after the initial invasion in December 1979. The Soviet occupation and subjugation of Afghanistan violates the letter and spirit of the Final Act, the U.N. Charter, and other international accords. Considerable attention was focused on the Soviet occupation during the Madrid Meeting by the United States, the Western allies, and the neutral and nonaligned countries. In addition, continued Soviet involvement in Afghanistan has been the subject of extensive debate at the United Nations and other

international fora. Nevertheless, the Soviet Union has refused to undertake a meaningful withdrawal of its troops.

In the introductory language of Basket I, the participating States recognized "the close link between peace and security in Europe and in the world as a whole." Accordingly, events in Afghanistan cannot be isolated from events in Europe. The principles guiding relations among states are applicable to the situation in Afghanistan. The continued Soviet occupation of, and military activity in Afghanistan violates at least five principles of the declaration: Principle I which calls upon the participating States to respect the right of every state to "juridical equality, to territorial integrity and to freedom and independence"; Principle II which calls upon the participating States "to refrain from the threat or use of force against the territorial integrity or political independence of any state"; Principle VIII which calls on the participating States to "respect the equal rights of peoples and their right to self-determination"; Principle IX which stipulates that the signatories "develop their cooperation with one another and with all states in accordance with the purpose and principles of the Charter of the United Nations"; and Principle X which declares that signatories will "fulfill in good faith their obligations under international law."

Using terms of the Soviet-Afghan treaty of 1978 as the basis for its invasion, more than 100,000 Soviet troops crossed into Afghanistan during December 1979. Despite nearly 7 years of occupation, the Soviets and their Marxist clients in Kabul have failed to maintain control beyond the capital, which is protected by 60,000 Soviet and Afghan security personnel. Both Herat and Kandahar, the second and third most important cities in the country, are substantially under the control of the mujahedeen. It is estimated that two-thirds of the Afghan population and even a greater proportion of its territory are beyond the regime's control. The Soviet-sponsored regime has made few political or military gains since the invasion. This led to the ouster of Afghan leader Babrak Karmal in May 1986. The continued Soviet occupation has involved considerable costs to the U.S.S.R. Soviet casualties since 1979 have climbed to over 30,000, including more than 10,000 killed. The Soviets and Afghans together have lost nearly 800 aircraft during the same period. The occupation also has presented the Soviets with serious domestic policy problems. Draft evasion appears to be on the rise. Nevertheless, the Soviets appear to be settling in for a long-term stay in Afghanistan.

Meanwhile, the mujahedeen, with growing international assistance, has increased its firepower and reduced operational and political disputes between its various components. Amid growing resistance, the Soviets have increasingly relied upon violence and terrorism, including the use of chemical weapons, against the Afghan people. This, in turn, has resulted in a massive exodus of Afghans to neighboring countries. An estimated 2.5 million have fled to Pakistan, while 1.5 million have crossed into Iran. An additional 1 million internal refugees remain inside Afghanistan.

Seven rounds of indirect talks have taken place in Geneva, between Pakistan and the Soviet-backed Afghans since 1982, under the auspices of the United Nations. The Soviets have resisted all attempts to negotiate a peaceful resolution of the situation in Af-

ghanistan. During a trip to Vladivostok in June 1986, General Secretary Gorbachev announced plans to withdraw six Soviet regiments from Afghanistan. In addition, Gorbachev indicated that as soon as a political settlement is worked out, all Soviet troops would be withdrawn. While the Soviets have withdrawn 8,000 troops from Afghanistan, the reduction is militarily insignificant in light of its 120,000 troops which remain in Afghanistan and the 40,000 Soviet troops poised along the Soviet-Afghan border. Despite these statements and limited actions, the Soviets continue to pursue the military option in Afghanistan in clear violation of the Final Act.

THE DOWNING OF THE KOREAN AIRLINER

A Korean Air Lines (KAL) commercial jet was shot down August 31, 1983, after it crossed into Soviet airspace while enroute to Seoul from New York. All 269 people aboard, including 61 Americans, were killed. While certain aspects of the incident remain unclear, the Soviet response is well documented. According to Secretary of State Shultz, the KAL jet strayed into Soviet airspace north of the Japanese island of Hokkaido and was tracked by Soviet radar for 2½ hours before it was shot down. Shultz noted that eight Soviet aircraft were involved in tracking the jet during that period. Intercepted radio contact indicated that the Soviet pilot was in visual contact with the KAL airliner for 14 minutes before firing an air-to-air missile which sent the jet plunging into the sea, near Sakhalin Island. The Soviet Government would neither confirm nor deny that it had shot down the passenger jet. On September 6, 1983, nearly 1 week after the incident occurred, the Soviets acknowledged that the airliner had been downed by one of its aircraft. Asserting that Soviet frontiers were "sacred," Soviet Foreign Minister Gromyko argued that the jet had been on a spy mission for the United States, and that blame should rest with the U.S. Secretary Shultz, attending the closing ceremonies of the Madrid Follow-up Meeting, denounced the Soviet Union's "totally unacceptable" version of the incident.

The Soviet attack on the KAL aircraft violated the Convention on International Aviation, an agreement to which the Soviet Union has adhered since 1970. The Convention, accepted by nearly 100 nations, sets forth general principles of law in the international aviation field. Article 25 of the Convention obliges states to provide assistance to aircraft in distress over their territory. In addition, standard international practice is to either require the aircraft to land or escort it to international airspace. Thus the downing of the passenger jetliner violated Principle X of the Final Act concerning fulfillment of obligations under international law.

Following the downing of KAL 007, representatives of the United States, the Soviet Union, and Japan conducted a series of negotiations to improve the safety of civil aviation in the North Pacific. A memorandum of understanding was signed on July 29, 1985 and entered into force on October 8, 1985.

DIRECT COMMUNICATIONS LINK

On July 17, 1984, an agreement was signed by the United States and the Soviet Union to expand and improve the operation of the

U.S.-Soviet Direct Communications Link, commonly known as the "hotline." First authorized under terms of a Memorandum of Understanding agreed to in June 1963, the hotline was designed to provide a means of direct communication between the leaders of the two nations in times of emergency. The system was upgraded during the 1970's to include two satellite circuits. In addition, the two countries agreed, under provisions of the Agreement on Measures to Reduce the Risk of the Outbreak of Nuclear War, to notify the other in advance of any planned missile launch extending beyond its national territory in the direction of the other.

During May 1983, President Reagan proposed further improvements to the hotline including: the addition of a high-speed facsimile capability and the establishment of high-speed data links between each government and its embassy in the other's capital. Also included in the proposal was the establishment of a Joint Military Communications Link. Negotiations on these measures began in August 1983. Under terms of the 1984 agreement, a facsimile capability will be added to the hotline which will allow for the transmission of graphic materials. Other enhancements will increase the speed of communications. The initiatives expanding the communications link between the United States and the Soviet Union represent a positive step in accordance with Principle IX of the Final Act regarding cooperation among states.

MURDER OF MAJOR ARTHUR D. NICHOLSON, JR.

On March 25, 1985, Major Arthur D. Nicholson, Jr., an unarmed member of the military liaison mission (MLM), was shot to death by a Soviet sentry while on assignment in East Germany. Nicholson was operating under terms of the Huebner-Malinin Agreement of 1947 which governs activities of the MLM. No verbal warning was given by the Soviet sentry. In addition, members of the Soviet military contingent prevented Major Nicholson's driver from administering first aid to Nicholson, leaving him to bleed to death. The murder of Major Nicholson is a clear demonstration of the unacceptable use of force and violence by the Soviets. Even if Nicholson had been engaged in unauthorized activities as the Soviet maintained, a charge which the U.S. rejected, the Soviet response far exceeded any infraction which might have occurred.

The killing violated terms of the Huebner-Malinin Agreement and Principle X of the Final Act concerning fulfillment in good faith of obligations under international law.

THE CHERNOBYL NUCLEAR DISASTER

Principle IX calls upon the participating States to promote mutual understanding and good-neighborly relations, as well as to increase mutual knowledge and progress in the economic, scientific, technological, social, cultural, and humanitarian fields. The principle of cooperation was dealt a severe blow as the result of Soviet behavior in the aftermath of the nuclear disaster at Chernobyl. On April 26, 1986, an explosion at a Soviet nuclear power plant near Chernobyl, Ukraine, resulted in the world's worst nuclear disaster. The failure of the Soviet Government to notify immediately neighboring states and the population in the affected area has

raised many serious questions regarding Soviet willingness to cooperate with other states, particularly during a disaster. Only after being confronted with evidence from neighboring states did the Soviet Union even acknowledge that an accident had occurred. The release of large amounts of radioactive iodine, cesium, and other harmful substances into the atmosphere posed a serious threat to the health of millions. Despite the scope of the disaster, the Soviets initially rejected offers of assistance from a host of countries, including the United States. Subsequently, an American medical expert in the field bone marrow transplants was permitted to treat selected victims of the disaster.

Antiterrorism provisions

Final Act and Madrid Concluding Document.—Principle VI, "Non-Intervention in internal affairs," in the Helsinki Final Act contains a brief reference to the problem of terrorism: "(The participating States) will . . . refrain from direct or indirect assistance to terrorist activities."

In the Madrid Concluding Document, however, there is a much expanded section on terrorism:

The participating States condemn terrorism . . . as endangering or taking innocent human lives or . . . jeopardizing human rights . . . They express their determination to take effective measures for the prevention and suppression of acts of terrorism, both at the national level and through international cooperation including appropriate bilateral and multilateral agreements, and accordingly to broaden and reinforce mutual cooperation to combat such acts. They agree to do so in conformity with the Charter of the United Nations, the United Nations Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States and the Helsinki Final Act.

(The participating States) . . . will take all appropriate measures in preventing their respective territories from being used for the preparation, organization, or commission of terrorist activities . . . This also includes measures to prohibit on their territories illegal activities of persons, groups and organizations that instigate, organize, or engage in the perpetration of acts of terrorism.

The participating States confirm that they will refrain from direct or indirect assistance to terrorist activities or to subversive or other activities directed toward the violent overthrow of the regime of another participating State. Accordingly, they will refrain, *inter alia*, from financing, encouraging, fomenting, or tolerating any such activities.

The Helsinki Final Act merely contains a brief injunction that participating States not assist terrorism in any way. The Madrid Concluding Document, however, goes much further. It encourages Helsinki signatories to take "effective measures" against terrorism. It encourages recourse to national and international agreements, at bilateral and multilateral levels, to combat terrorism.

Participating States are urged to undertake new diplomatic initiatives to combat terrorism. They also pledge that their own territories will not be used in any way for the "preparation, organiza-

tion or commission" of terrorist acts. Diplomats, who are particular terrorist targets, are singled out as needing special protection by the participating States.

The issue of terrorism has been raised in various forms at some of the post-Madrid CSCE Experts Meetings. At the Ottawa Human Rights Experts Meeting, the delegations of Spain, the United States, and Turkey, introduced on June 4, 1985 a proposal which briefly reiterated some of the antiterrorism pledges in the Madrid Concluding Document. At the Bern Human Contacts Experts Meeting, Ambassador Novak, head of the U.S. delegation, responded on April 17, 1986 to criticism of the U.S. bombing of Libyan terrorist sites.

After acknowledging that terrorism was not in the mandate for the Bern Meeting, Novak said, "Civilization is the rule of law substituted for the rule of terrorism." He referred to recent tragic acts of terrorism at a West Berlin discotheque and on a TWA airplane from Athens. In conclusion, Novak asserted, "In the coming renaissance of Europe of which I speak today, Europe will also break the grip of terrorism. . . . The citizens of Europe and of the United States now bear the burden of this struggle, not because we chose to, but because it was thrust upon us."

The document of the Stockholm CDE Meeting, adopted on September 19, 1986, contains an extensive reference to the antiterrorism provisions of the Madrid Concluding Document.

A State Department outline, "Patterns of Global Terrorism," edited to show only participating States, is appended to this report. According to this report, the four participating States in which major acts of terrorism have been most frequent are: France (12), West Germany (11), Spain (10) and Greece (9). The report shows four groups to have committed the greatest number of major terrorist acts on the territories of the participating States: the radical Palestinian group, Abu Nidal (7), the Irish Republican Army (5); the French leftist Action Directe (5) and the radical Palestinian Black September group (5).

The expanded antiterrorism provisions in the Madrid Concluding Document reflect increased concern with this problem among CSCE signatories. Faced with major new acts of terrorism in 1986, French authorities were forced to adopt a visa requirement for all foreigners entering their territory. Despite stepped-up antiterrorism measures by signatory States, terrorism seems to have become a tragic and chronic fact of contemporary life.

MILITARY SECURITY

The Helsinki Final Act

"Recognizing the need to contribute to reducing the dangers of armed conflict and of misunderstanding or miscalculation of military activities which could give rise to apprehension, particularly in a situation where the participating States lack clear and timely information about the nature of such activities," the 35 signatories adopted the following CSBMs:

Notification of Military Maneuvers.—The 35 States agreed to provide prior notification (21 days) of major military maneuvers involving 25,000 or more troops, including amphibious and airborne

troops, taking place "on the territory, in Europe, of any participating State as well as, if applicable, in the adjoining sea area and air space." They also agreed to provide voluntary notification of military maneuvers below the 25,000 troop threshold.

Exchange of Observers.—The States further agreed to voluntarily invite observers from other participating States to attend military maneuvers.

Other Confidence-Building Measures.—In addition, the participating States were encouraged to promote other exchanges between military personnel.

Implementation of CSBMs

Prior Notification of Major Military Maneuvers.—Compliance with the Final Act requirement of prior notification of major military maneuvers, those involving 25,000 or more troops, generally improved over the previous reporting period. All major military maneuvers sponsored by NATO, NNA, and Warsaw Pact states were notified. This is particularly significant in light of the serious violations of the security provisions of the Final Act which occurred during the prior reporting period.

While breaches as described in the last report did not occur during the current reporting period, problems persisted with regard to notifications made by Warsaw Pact states. They continued to provide a minimal amount of information, often failing to include specific location of maneuvers, types of forces participating, dates of maneuvers, and composition of forces.

MAJOR MILITARY MANEUVERS NOTIFIED FROM 1982-OCTOBER 1986

NATO

1982

Carbine Fortress, sponsored by the U.S., Canada and the F.R.G., and held between 12-23 September on territory of the F.R.G. It was a 73,000 troop maneuver involving participants from Belgium, Canada, Denmark, the F.R.G., Luxembourg, The Netherlands, the U.K. and the U.S. Observers were invited.

Starke Wehr, sponsored by the F.R.G. and held between 13-17 September on territory of the F.R.G. It was a 45,000 troop maneuver involving participants from the F.R.G., The Netherlands, and the U.S. Observers were invited.

Bold Guard 82, sponsored by NATO and held between 20-24 September on territory of the F.R.G. and Denmark. It was a 47,200 troop maneuver involving participants from Denmark, the F.R.G., The Netherlands, the U.K., and the U.S. Observers were invited.

1983

Wehrhafte Lowen, sponsored by the F.R.G. and held 19-23 of September in Kassel-Bad Hersfeld of the F.R.G. It was a 50,000 man exercise involving troops from the F.R.G., Belgium and the U.S. Observers were invited.

Atlantic Lion, sponsored by the F.R.G. and The Netherlands and held 20-29 September along the border of the two sponsoring states. It was a 41,000 troop maneuver, involving participants from

the F.R.G., The Netherlands, the U.S. and the U.K.. Observers were invited.

Confident Enterprise, sponsored by the F.R.G. and the U.S. and held 20-29 September in the Bad Hersfeld of the F.R.G. It was a 62,000 troop maneuver, involving participants from the F.R.G. and the U.S. Observers were invited.

Eternal Triangle, sponsored by the F.R.G. and the U.K. and held 27 October-2 November in the Celle-Wolfenbützel areas of the F.R.G. It was a 25,000 troop maneuver, involving participants from the F.R.G. and the U.K. Observers were not invited.

1984

Avalanche Express, sponsored by Norway and held 16-22 March in northern Norway. It was a 25,000 troop maneuver, involving participants from Canada, the F.R.G., Italy, Luxembourg, The Netherlands, Norway, the U.K., and the U.S. Observers were invited.

Lion Heart 84/Spear Point 84, a joint maneuver sponsored by the F.R.G. and the U.K., and held from 3-29 September on territory of the F.R.G. It was a 132,000 troop maneuver, including participants from the F.R.G., The Netherlands, the U.K., and the U.S. Observers were invited.

Flinker Igel, sponsored by the F.R.G. and held between 13-20 September on territory of the F.R.G. It was a 55,000 troop maneuver, including participants from Canada, the F.R.G., and the U.S. Observers were invited.

Certain Fury, sponsored by the F.R.G. and the U.S. and held between 17-28 September on territory of the F.R.G. It was a 50,000 troop maneuver, including participants from the F.R.G. and the U.S. Observers were invited.

1985

Central Guardian, sponsored by the F.R.G. and the U.S. and held 21-31 January on F.R.G. territory. It was a 72,000 troop maneuver with participants from the U.S., the F.R.G., Luxembourg, and France. Observers were invited.

Brave Defender, sponsored by the U.K. and held 2-13 September on U.K. territory. It was a 65,000 troop maneuver with participants from the U.K., The Netherlands, and the U.S. Observers were invited.

Defiant Saxon, sponsored by the F.R.G. and held 12-21 September on F.R.G. territory. It was a 60,000 troop maneuver with participants from the F.R.G., the U.K., The Netherlands, and the U.S. Observers were invited.

1986

Certain Sentinel, sponsored by the F.R.G. and the U.S. and held 20-30 January on F.R.G. territory. It was a 73,000 troop maneuver with participants from the F.R.G., the U.S., Canada, and France. Observers were invited.

Fraenkischer-Schild, sponsored by the F.R.G. and held between 15-26 September on F.R.G. territory. It was a 50,000 troop maneuver with participants from Belgium, France, the F.R.G., and the U.S. Observers were invited.

Warsaw Pact

1982

Friendship 82 (Druzhiba 82), sponsored by Czechoslovakia and held 25-30 January on Czechoslovakian territory. It was a 25,000 troop maneuver involving participants from Czechoslovakia, Hungary, and the U.S.S.R. Observers were not invited.

Shield 82 (Tarcza 82), sponsored by Bulgaria and held between 25 September-1 October on Bulgarian territory. It was a 60,000 troop maneuver involving participants from Warsaw Pact states. Observers were not invited.

1983

A major exercise sponsored by the U.S.S.R. and held 29 June-4 July in the Baltic and Belorussian military districts and the eastern Baltic Sea. It was a 50,000 troop maneuver of Soviet forces. Observers were not invited.

A major exercise sponsored by the U.S.S.R. and held 25-30 July in southeastern G.D.R. It was a 26,000 troop maneuver of Soviet forces. Observers were not invited.

1984

Zapad 84, sponsored by the U.S.S.R., the G.D.R., Poland, and Czechoslovakia and held 28 June-5 July in the G.D.R., Poland, Czechoslovakia, and the Baltic Sea. It was a 60,000 troop maneuver involving Soviet forces. Observers were not invited.

Shield 84 (Tarcza 84), sponsored by Czechoslovakia and held 4-14 September on Czechoslovak territory. It was a 60,000 troop maneuver of Warsaw Pact forces. Observers were not invited.

1985

A major maneuver sponsored by the U.S.S.R. and Czechoslovakia and held 25-31 May on Czechoslovak territory. It was a 25,000 troop maneuver involving Soviet and Czechoslovak forces. Observers were not invited.

Kavkaz 85, sponsored by the Soviet Union and held 15-21 July in the Caucasus region of the U.S.S.R. It was a 25,000 troop maneuver involving Soviet forces. Observers were invited from select states.

A major maneuver sponsored by the U.S.S.R. and the G.D.R. and held 6-14 July on G.D.R. territory. It was a 25,000 troop maneuver involving Soviet and East German forces. Observers were not invited.

1986

Zapad '86, sponsored by the U.S.S.R. and held 10-17 February in the Soviet Baltic Military District. It was a 50,000 troop maneuver involving Soviet forces. Observers were not invited.

Kavkaz '86, sponsored by the U.S.S.R. and held 17-21 February in the southern U.S.S.R. It was a 25,000 troop maneuver involving Soviet forces. Observers were not invited.

A major maneuver sponsored by the G.D.R. and held between 8-13 September on East German territory. It was a 25,000 troop maneuver involving participants from the U.S.S.R. and G.D.R. Observers were not invited.

Druzhba-86, sponsored by Czechoslovakia and held between 8-12 September on Czechoslovakian territory. It was a 25,000 troop maneuver involving participants from Czechoslovakia, the U.S.S.R., and Hungary. Observers were invited.

Neutral and nonaligned maneuvers

1982

Panzer-Jagd, sponsored by Switzerland and held between 15-19 November on Swiss territory. It was a 30,000 troop maneuver involving Swiss forces. Observers were invited.

1983

No major maneuvers reported.

1984

No major maneuvers reported.

1985

Tornado, sponsored by Switzerland and held 7-17 October on Swiss territory. It was a 25,000 troop maneuver involving Swiss forces. Observers were not invited.

1986

Raumverteidigung-Herbstuebung-86, sponsored by Austria and held between 9-17 October on Austrian territory. It was a 30,000 troop maneuver involving Austrian forces. Observers were invited.

Prior Notification of Smaller Scale Maneuvers—Under provisions of the Final Act, participating States are encouraged, but not required to provide prior notification of smaller scale maneuvers, those involving 25,000 or less troops. NATO continued to provide voluntary prior notifications of all smaller scale maneuvers. Although the Soviet Union did make its first discretionary notification in connection with the Dnestr 83 exercise during the current reporting period, Eastern performance in this area remained poor.

Non-Notification of Smaller Scale Maneuvers 1982-October 1986.—Of the 10 smaller scale maneuvers conducted by the Warsaw Pact states during this period, Dnestr 83 was the only exercise notified. Several smaller scale maneuvers, including three French exercises, which took place during the current reporting period were not notified according to notification guidelines contained in the Final Act.

NATO

Langres 82, sponsored by France and held between 19-24 September on French territory. It was a 17,000 troop maneuver involving French forces. Notification was given 3 days prior to the start of the exercise. Observers were not invited.

Damocles, sponsored by France and held during September 1984. It was a 7,500 troop maneuver involving French forces. While France did provide notification of the maneuver, it failed to do so 21 days prior to the exercise as called for under the Final Act. Ob-

servers were invited from all NATO countries plus Hungary and Romania.

Jourdan, sponsored by France and held during June 1985. It was a 5,000 troop maneuver involving French forces. While France provided notification of the maneuver, it failed to do so 21 days prior to the exercise as called for under the Final Act. Observers were invited from all states having military attaches in Paris.

Warsaw Pact

Danube 83, sponsored by Hungary and held during January 1983. No details were provided regarding the number of troops participating in this small scale maneuver. Hungary did inform members of the Budapest Attache corps, although it failed to do so 21 days prior to the exercise as called for under the Final Act. Observers were not invited.

Kunsag 83, sponsored by Hungary and held between 6-16 June. It was a 14,000 troop maneuver involving Hungarian forces. Hungary did inform members of the Budapest Attache corps, although it failed to do so 21 days prior to the exercise as called for under the Final Act. Observers were not invited.

Druzba-84, held in Czechoslovakia during February 1984, participants included Czechoslovakia, Hungary, and the Soviet Union. No information was provided regarding the number of troops involved, the dates of the maneuver, or location. No notification was provided. Observers were not invited.

Soyuz-84, held in Bulgaria, Hungary, Romania, the southwestern region of the Soviet Union, and the Black Sea during March 1984. No information was provided regarding the number of troops involved in the exercise, the dates of the maneuver, or location. No notification was provided. Observers were not invited.

Danubex-84, held between 26 June-2 July, it was a 16,000 troop maneuver involving participants from the Soviet Union, Hungary, and Czechoslovakia. No notification was provided. Observers were not invited.

Danube 85, sponsored by Hungary and held between 28 June-4 July. It was a 23,000 troop maneuver involving participants from Hungary, Czechoslovakia, and the Soviet Union. No notification was provided. Observers were not invited.

Friendship 85, held in Poland during September 1985, the maneuver involved participants from Poland, East Germany, and the Soviet Union. No notification was provided. Observers were not invited.

Duna '86, held in Hungary. No information was provided regarding the number of troops involved in the exercise, the dates of the maneuver, composition of forces, or location. No notification was provided. Observers were not invited.

An unnamed field training exercise was held in East Germany during 1986. No information was provided regarding the number of troops involved in the exercise, the dates of the maneuver, composition of forces, and location. No notification was provided. Observers were not invited.

SMALLER SCALE MANEUVERS NOTIFIED FROM 1982-OCTOBER 1986

NATO

1982

Alloy Express, sponsored by NATO and held between 12-17 March on [and held] on Norwegian territory. It was a 14,200 troop maneuver involving participants from Canada, the F.R.G., Italy, Luxembourg, The Netherlands, Norway, the U.K., and the U.S. Observers were not invited.

1983

Cold Winter 83, sponsored by Norway and held between 11-17 March. It was a 10,000 troop maneuver involving participants from Canada, The Netherlands, Norway, the U.K. and the U.S. Observers were not invited.

Viking 83, sponsored by Norway and held between 11-17 March. It was a 10,000 troop maneuver involving participants from Norway and the U.K. Observers were not invited.

Moselle 83, sponsored by France and held 16-24 September in northeastern France. It was a 22,000 troop maneuver with participants from France. Observers were invited.

Ample Express 83, sponsored by Denmark and held 20-24 September in Zealand Islands. It was a 10,000 troop maneuver with participants from the U.K., the F.R.G., Luxembourg, Italy, The Netherlands, and the U.S. Observers were not invited.

Eternal Triangle, sponsored by the F.R.G. and U.K. and held between 24 October-5 November. It was a 21,000 troop maneuver involving participants from Denmark, the F.R.G., and the U.K. Observers were not invited.

1984

Doubs 84, sponsored by France and held between 8-14 September on French territory. It was a 20,000 troop maneuver involving French forces. Observers were invited.

Bold Gannet 84, sponsored by Denmark and held between 15-20 September on the Zealand Islands. It was a 21,000 troop maneuver, involving participants from Denmark, the F.R.G., The Netherlands, and the U.K. Observers were not invited.

1985

Cold Winter '85, sponsored by Norway and held 15-21 March on Norwegian territory. It was a 10,000 troop maneuver, with participants from Norway, Canada, The Netherlands, the U.S., and the U.K. Observers were not invited.

1986

Anchor Express, sponsored by Norway and held 6-12 March in northern Norway. It was a 20,000 troop maneuver with participants from Norway, Canada, the F.R.G., Italy, Luxembourg, The Netherlands, the U.K., and the U.S. Observers were invited.

Blue Fox, sponsored by Norway and held between 9-15 September on Norwegian territory. It was a 23,000 troop maneuver involving Norwegian forces. Observers were invited.

Warsaw Pact

1982

No smaller scale maneuvers reported.

1983

Dnestr 83, sponsored by the U.S.S.R. and held 5-10 September in the Odessa area. It was a 23,000 troop maneuver involving Soviet forces. Observers were invited from select states.

1984

No smaller scale maneuvers reported.

1985

No smaller scale maneuvers reported.

1986

No smaller scale maneuvers reported.

[VI] Neutral and nonaligned

1982

Sydfront, sponsored by Sweden and held between 23-29 September on Swedish territory. It was a 23,000 troop maneuver involving Swedish forces. Observers were not invited.

Area Defense Exercise 1982, sponsored by Austria and held between 15-22 October on Austrian territory. It was a 14,000 troop maneuver involving Austrian forces. Observers were not invited.

1983

Unity 83, sponsored by Yugoslavia and held 13-15 September in Macedonia. It was a 22,000 troop maneuver involving Yugoslav forces. Observers were invited.

Ostkust, sponsored by Sweden and held 25 September-6 October on Swedish territory. It was a 20,000 troop maneuver of Swedish forces. Observers were invited.

1984

Vastgrans, sponsored by Sweden and held 18 February to 5 March. It was a 22,000 troop maneuver involving Swedish forces. Observers were invited.

1985

No smaller scale maneuvers reported.

1986

No smaller scale maneuvers reported.

Exchange of Observers.—While the Final Act does not require that observers be invited to maneuvers for which notification is made, participating States are encouraged to extend such invitations. NATO and NNA countries continued to invite observers to all major military maneuvers.

Exchange of Military Visitors.—"The participating States are encouraged, with due regard to reciprocity and with a view to better understanding, to promote exchanges by invitation among their military personnel, including visits by military delegations." While such exchanges are common between members of NATO, and members of the Warsaw Pact, few East-West exchanges take place. During the current reporting period only two such visits occurred. Two U.S. Naval vessels, the U.S. *Valdez* and the U.S. *Yarnel* visited Romania June 9 to 13, 1982.

Source: NATO, Tables of Notifications of Military Maneuvers Made Under Provisions of CSCE Final Act During the Period 1975-1985, ISD/373 (Revised), June 9, 1986.

ARMS CONTROL AND DISARMAMENT

With the largest concentration of armed forces in the world stationed in Europe, the issue of European security remains of paramount concern. While the Final Act does not contain specific provisions regarding arms control per se, "(T)he participating States recognize the interest of all of them in efforts aimed at lessening military confrontation and promoting disarmament which are designed to complement political detente in Europe and strengthen their security. They are convinced of the necessity to take effective measures in these fields which by their scope and by their nature constitute steps towards the ultimate achievement of general and complete disarmament."

Pursuant to these objectives, the United States and the Soviet Union participated in a series of bilateral arms control negotiations. On January 8, 1985, the two superpowers announced agreement to begin negotiations relating to space and nuclear arms, designed to bring about a reduction of nuclear arms and a strengthening of strategic stability. In addition, the U.S. and U.S.S.R. were involved in a variety of discussions dealing with strategic nuclear, intermediate-range nuclear, and antisatellite weapons during the current reporting period. Highlights of these negotiations are presented below.

Strategic arms reduction talks (START)

The United States and the Soviet Union began the strategic arms reduction talks in 1982. The primary objective of the United States throughout the negotiations was to achieve a stable balance at significantly reduced levels of nuclear forces. The U.S. has been most concerned about reducing the levels of destabilizing ballistic missile systems, particularly MIRVed land-based ICBMs, and demonstrated its willingness to negotiate limits on other systems as well. Accordingly, the U.S. proposed a build down concept which provided a mutual, guaranteed reduction in nuclear systems, including ballistic missile warheads and heavy bombers. The negotiations stalled over differences regarding the definition of "strategic." The U.S. proposal for strategic arms reductions applied only to intercontinental systems—ICBMs, SLBMs, and heavy bombers. The Soviet proposal included nuclear arms capable of reaching each other's territory; which included Pershing II, cruise missiles, carrier-based aircraft and aircraft based in Europe and Asia. Under the Soviet definition, SS-20s would have been excluded. On Decem-

ber 8, 1983, the Soviet delegation declined to set a date for the resumption of negotiations. The Soviet action was linked to the U.S. deployment of Pershing II and cruise missiles as part of a NATO modernization program.

Intermediate-range nuclear force (INF)

The United States and Soviet Union began talks on intermediate-range nuclear forces in 1981. The U.S. initiative was consistent with NATO's decision to pursue a dual-track policy of force modernization and negotiated arms reductions. Following close consultations with other members of NATO, the U.S. tabled two draft treaty texts. One, the Zero-Zero treaty proposed a worldwide ban on all U.S. and Soviet longer-range intermediate-range nuclear forces (LRINF) missile systems. Adoption of the Zero-Zero treaty would have required the elimination of all Soviet SS-4, SS-5, and SS-20 missiles as well as NATO Pershing missiles and ground-launched cruise missiles. Following Soviet refusal to consider this proposal, the U.S. tabled an Interim Proposal treaty, which called for global ceilings of warheads deployed on U.S. and Soviet LRINF missiles. In the absence of progress at the negotiating table in Geneva, the U.S. proceeded with the deployment of Pershing II and cruise missiles pursuant to a 1979 NATO decision. In November 1983, the Soviets walked out of the INF talks.

Nuclear and space talks (NST)

In March 1985, the United States and the Soviet Union resumed arms control talks within a new framework. The nuclear and space talks (NST) combined elements of START, INF, and space weaponry.

In addition to these bilateral arms control negotiations, the United States participated in the following multilateral negotiations.

Mutual balanced force reductions (MBFR)

Representatives of several member states, NATO and the Warsaw Pact have held a series of meetings over the past 13 years designed to reach a verifiable agreement which would reduce and limit conventional forces in central Europe. The purpose of the negotiations is the creation of a more stable balance of forces at an equal and significantly lower level in central Europe, the area of greatest concentration of armed forces in the world. In February 1985 the Warsaw Pact proposed a time-limited, first-stage agreement calling for initial reductions of U.S. and Soviet ground forces—without prior agreement on the actual numerical level of those forces—followed by a freeze on all forces of the two alliances remaining in the area. On December 5, 1985, NATO agreed to this framework. No progress has been made with respect to the Western verification proposals within the scope of MBFR negotiations despite Soviet statements pledging dependable verification, including on-site inspections.

Conference on disarmament

In December 1986, the NATO Alliance agreed to expanded conventional arms talks between the Alliance and the Warsaw Pact to

embrace "The Whole of Europe," according to the Alliance declaration, the negotiations "Build and Expand" the results of the Stockholm CDE. The Warsaw Pact had called for such expanded talks in May 1985.

Key objectives of the 40-nation Conference on Disarmament (CD) have been adoption of a comprehensive test ban (CTB) and a comprehensive ban on chemical weapons. Additional attention was focused on the Conference following the suspension of test ban negotiations among the United States, the United Kingdom, and the Soviet Union. The United States proposed a draft treaty, at the CD, calling for a total ban on chemical weapons. In light of Soviet violations of the Geneva Protocol of 1925 and the Biological and Toxin Weapons Convention of 1972, the United States has insisted on effective verification of any ban on chemical weapons. Maintaining that the U.S. proposal is intrusive, the Soviets have rejected the initiative, insisting that verification should be accomplished through national technical means and self-inspection. Despite general agreement on the importance of a ban on chemical weapons at the U.S.-Soviet summit in 1985, little progress has been made toward a comprehensive ban on chemical weapons at the CD.

ATHENS CONFERENCE ON PEACEFUL SETTLEMENT OF DISPUTES

The 35 CSCE participating States met in Athens March 21-April 30, 1984 in an attempt to develop a framework for the peaceful settlement of international disputes in accordance with Principle V of the Final Act. The meeting was mandated by the Madrid Review Conference. A similar meeting on this subject was held in Montreux, Switzerland in 1978.

The Western position at Athens was based on a commitment to a graduated system of disputes settlement: when bilateral discussions proved unproductive, either party in a dispute would have recourse to third-party mechanisms such as good offices, inquiry, mediation, conciliation, and arbitration. The East, meanwhile, maintained a position that disputes should be settled by direct negotiations or consultations. The NNA argued that small countries forced into negotiations with the Soviet Union could be manipulated. They insisted upon a system which would include a conciliation commission to which such disputes could be brought. During the course of the meeting the United States proposed a detailed document providing for several levels of third-party conciliation and mediation.

A brief report was approved at the conclusion of the 6-week meeting noting that discussions were held on the peaceful settlement of disputes and that there was particular emphasis on how to include a third-party element.

CHAPTER FOUR—HUMAN RIGHTS

BULGARIA

INTRODUCTION

There has been no significant progress in Bulgaria's compliance with the human rights and humanitarian provisions of the Helsinki Final Act since the Commission's previous implementation report. There is virtually no known organized dissident activity and there continue to be few publicized or documented arrests or trials of individuals for human rights activity. Organized religion continues to be closely monitored and circumscribed. The Bulgarian Government's previously poor treatment of minorities has deteriorated even further with its brutal campaign to forcibly assimilate members of Bulgaria's Turkish minority.

While the Bulgarian Government claims to be a "dictatorship of the proletariat" according to the tenets of Marxist-Leninism, it is in fact a dictatorship controlled by the leaders of the elitist Communist Party, which comprises less than 10 percent of the population. The Communist Party leadership maintains almost total control of Bulgaria's political, social, economic and cultural life. The Bulgarian Constitution provides for certain basic rights, including free speech and press, association and demonstration, and freedom of worship. In practice, these freedoms are either severely curtailed or nearly nonexistent. The Government interferes in the private lives of its citizens through its system of surveillance, telephone monitoring and mail censorship.

Internal opposition is suppressed quickly and harshly. Except for widespread resistance by the Turkish minority to the Government's assimilation campaign, there is little known opposition. Bulgaria does not release figures on the number of political prisoners and detainees. According to the State Department's 1985 Human Rights Country Report, however, "Several thousand such persons is a reasonable estimate for 1985, including those caught while trying to escape across the country's borders, as well as Turkish-Bulgarians rounded up in the early months of the year." Brutal treatment by camp guards or other inmates continue to be a feature of prison life in Bulgaria, although conditions among camps vary.

Although the Bulgarian Constitution provides for freedom of association, in practice, the Government decides which organizations can exist. While human rights monitoring groups are virtually unknown in Bulgaria, a small group of up to 17 persons operated near the city of Mikhailovgrad in 1983-84. The group operated clandestinely and after the arrests of some of its members, ceased its activity. One of the group's leaders, Yanko Yankov, was sentenced in 1985 to a 5-year term in the Pazardzhik prison for "defamation of the state." Another Bulgarian dissident, Valodya Nakov, was sen-

tenced to 4 years imprisonment in September 1984 for having contacts with Western Embassies. Nicolas Chamurlisky, sentenced 1 month after the signing of the Final Act following requests to visit his brother in the United States, continues to be imprisoned in Stara Zagora Prison. Several hundred political prisoners are believed to be held in Stara Zagora. Pentecostalist Kostadin Kalmukov, sentenced in 1984 to a 5-year term for his religious beliefs, was beaten unconscious by guards at Stara Zagora on December 25, 1984, "for objecting to the fact that Christmas Day was being treated by the prison authorities as an ordinary working day."¹

RELIGIOUS RIGHTS

Bulgaria officially espouses atheism and discourages religion. Religious activity is closely monitored and discouraged even though article 53 of the Bulgarian Constitution provides for freedom of religion. The Government maintains careful and strict control over organized religion, reviewing clerical appointments and closely monitoring the importation and distribution of religious literature. Religious practice is discouraged, particularly among party and Government officials, and active believers have been subjected to discrimination. Religious education of children and open proselytizing are prohibited. According to Keston College, "recent travelers to Bulgaria suggest that pressure on believers in various parts of the country is, in fact, being maintained. House searches and confiscations have been conducted in Sofia, Stara Zagora and Kazanlak."² Although a Bulgarian language Bible was printed in 1982, only several thousand copies have been distributed domestically. This number is barely enough to meet the needs of Bulgaria's approximately 2,600 Orthodox churches alone.³

The Government "recognizes" only three religious groups: the Bulgarian Orthodox Church, Judaism and Islam, each of which receives government subsidies. The Orthodox Church, because of its long association with Bulgarian nationalism, enjoys the most privileges. In addition to the three recognized groups, several denominations are permitted to operate, which means they are allowed churches and congregations. They include Catholics (Latin rite and Uniate), Evangelicals, Baptists, Pentecostalists, Seventh-Day Adventists, Methodists, Congregationalists and Armenians. Some of these groups refuse to apply for subsidies from the state so as not to be dependent on it. In addition, there is a religious underground among Protestants which receives religious texts from outside Bulgaria.

Catholics and Protestants are regarded with suspicion by the authorities because of their foreign origins and contacts. Catholic clerics and active believers are subjected to harassment, including house searches and confiscation of religious material. The Catholic Church, which has about 70,000 members, experienced even greater difficulties after the arrest in Italy of Bulgarian airlines employee Sergei Antonov in November 1982. Antonov was arrested for complicity in the assassination attempt on Pope John Paul II. According to the State Department's 16th Semiannual Report covering

^{1 2 3} See footnotes on p. 232.

the period December 1, 1983 to March 31, 1984, the Catholic Church has had "the most severe problems with the Government, including disputes over the training and ordination of new priests, religious instruction for the young, baptism, and travel to Rome by church leaders." The church faces other problems: its candidate for a successor to the Bishop of Plovdiv has been rejected by the Government, and the See remains vacant; there is a shortage of seminaries; and Catholic youths are not permitted to gather in meetings prior to their 16th birthday.

Members of various Protestant denominations have been harassed and detained by Bulgarian authorities. The homes of active believers have been searched and religious material confiscated. Young churchgoers are sometimes dissuaded from attending services. During the fall of 1985, for instance, police appeared at several meetings in Sofia of unregistered Pentecostals, "... noting down the names of those present and dispersing the gatherings. Three pastors, Pavel Ignatov, Boris Ivanov and Toma Spassov were summoned to an interrogation. Subsequently, Ignatov and Ivanov were forbidden to leave Sofia for an indefinite period. Spassov was sent into internal exile for 3 years."⁴

Also in 1985, the oldest Protestant Congregationalist church in Bulgaria was compelled to accept a government-appointed pastor over two popular pastors—the Kulishev brothers. In May 1985, Hristo Kulishev was removed from the pulpit and sentenced to 8 months imprisonment for the "willful practice of the profession of titular pastor to the detriment of personal and public interests." His brother, Dimitar, was sentenced to 6 months on the same charge. Both were forbidden to practice as pastors. Government relations with other Protestant denominations remain tense.

Bulgaria's small and elderly Jewish community and the Armenian Church have had relatively conflict-free relations with the Government since the previous implementation report. Today, there are about 5,500 Jews in Bulgaria. Some 3,000 live in Sofia, and about 50 continue to worship publicly.

The most visible target of the Bulgarian Government's suppression of religion has been Islam. The authorities have combined their campaign against the Muslim religion with their attempt to eradicate Turkish ethnic identity.

TURKISH MINORITY IN BULGARIA

Since the previous implementation report, the Bulgarian Government has systematically violated the rights of its Turkish minority through a forcible assimilation of the Turkish minority of about 900,000 (10 percent of Bulgaria's population).

The Bulgarian Government has never been favorably disposed toward its Turkish minority and has engaged in persistent efforts to assimilate this and other minorities. In the 1970's, for example, the Government limited the teaching of Turkish. It abolished Turkish schools and forbade the teaching of classes in any language other than Bulgarian. It also closed several mosques. Although in the early 1980's there were instances of forcible attempts to assimilate

⁴ See footnote on p. 232.

late individuals, and even villages, the ethnic Turks were nevertheless recognized as a minority. As late as October 1984, Bulgaria made reference to a recognized Turkish minority in a note to the United Nations.⁵

In late 1984, however, the Bulgarian Government embarked on what appears to be a full-scale campaign to assimilate and deny the existence of its Turkish minority. From December 1984 through the winter of 1985, the Bulgarian Government compelled members of the entire Turkish-speaking minority to change their Turkish names to Bulgarian ones. This campaign was carried out by the army and members of paramilitary organizations, often at gunpoint. Towns and villages in Turkish-speaking regions, mostly in the southern and northeastern areas of the country, were surrounded by the army, often in the early morning. Officials then went from house to house with new identity cards bearing Bulgarian names. Essential services, including medical care, were denied to persons presenting documents with the old names. Despite Bulgarian Government claims that the name change was voluntary and spontaneous, there have been numerous reports that force was used, including torture and rape. Those who refused to accept the new names were threatened or arrested, and hundreds were reportedly killed by security forces. According to Amnesty International, over 250 ethnic Turks were arrested between December 1984 and March 1985. In early 1985, Rasim Rezhebov, Salim Salimov, Ismet Abdulov, Hasine Mustafaova and Ferdiye Salifova were tried and sentenced to prison terms ranging from 2 to 7½ years' in Kardzhali for attempting to organize a meeting of ethnic Turks in the area to protest against the name change campaign. Many others were arrested for refusing to accept or use the new identity cards. According to reports some were released only after accepting new Slavic names. Still others were forced to live and work in other parts of the country. There have also been reports of ethnic Turks killed by the security services—Amnesty International has received the names of over 100 members of the Turkish minority reported killed resisting the name changes. Reports from Turkey indicate that the numbers could reach 1,000.

Throughout the campaign, the Bulgarian state media asserted that no Turkish minority existed in Bulgaria. The media claimed instead, that there were only ethnic Bulgarians who spontaneously and voluntarily rediscovered their true Bulgarian identity, which had been suppressed during Ottoman rule. The Government contends that the ethnic Turks are descendants of "Slav Bulgarians" who had been forcibly converted to Islam during the period of Ottoman rule. In a March 1985 speech, Politburo member Stanko Todorov pronounced the name change campaign a success, claiming that "our blood-brothers and sisters have returned to the common family." He said that Bulgaria was now a "single-nationality state."

Since the name change campaign, the Bulgarian Government has been taking systematic measures to eradicate Turkish identity. For all practical purposes, numerous activities pertaining to Turk-

⁵ See footnote on p. 232.

ish ethnic identity and Islamic religious practices is forbidden. Turks who have not changed their names are not permitted to work in state enterprises. The use of the Turkish language in public is banned. "In many municipalities the use of Turkish in public places, including the streets, has been made an offense punishable by a fine. . . ."⁶ The only formerly bilingual Turkish-Bulgarian publication, *Nova Svetlina*, has been available only in Bulgarian since January 1985. Turkish language radio broadcasts have ceased. Receiving and reading of Turkish publications is punishable by fine, and radio and television programs from Turkey are jammed. Traditional Turkish clothes, most notably the traditional shalvari (wide pantaloons), have been prohibited in some areas in which there are large Turkish populations. Persons wearing the pantaloons are subject to a fine of up to 60 leva. The campaign has extended even to removal of road signs in Turkish, and "restaurants have removed their menus for 'Turkish' coffee."⁷ Finally, several reports suggest that Bulgaria may have begun implementing a program of forced resettlement of some ethnic Turks to non-Turkish areas of the country.

Travel into and out of ethnic Turkish areas is restricted. During the height of the campaign guards at roadblocks turned back foreigners in some villages. Only a few diplomats and journalists have been permitted to travel in these areas, although travel restrictions are gradually easing. Those few journalists and diplomats who are permitted to visit do so only under heavy surveillance.

The Government-controlled media have markedly stepped up their attacks on aspects of Islamic religious practice, presumably because ethnic Turks comprise the majority of Bulgaria's Moslem population (the remainder being Gypsies and Slavic Pomaks). The media have attacked the practice of circumcision, the teaching of the Koran to the young, the giving of alms on certain holidays, and fasting during the Moslem holy month of Ramadan. The Bulgarian paper *Nova Svetlina*, for instance, claimed that Ramadan fasting is a destructive superstition because it prevents those who fast from working properly. According to reports, Islamic religious practices have been banned outright. An unknown number of mosques have been closed, Moslem graveyards have been obliterated, the Koran is not published within Bulgaria and cannot be imported, and Bulgarian Muslims are forbidden to participate in the annual pilgrimage to Mecca.

The Bulgarian assimilation campaign is reminiscent of the country's previous campaign against the Macedonian minority and its efforts to create a homogeneous Bulgarian state. Throughout the 1960's and 70's, the Bulgarian Government conducted a gradual campaign to compel groups such as the Macedonians and the Pomaks to assimilate. (Pomaks are ethnic Slavs who converted to Islam during the period of Ottoman rule, but who maintained their Bulgarian language and culture.) Mention of these groups has gradually disappeared from the official records. The preliminary 1985 census makes no mention of nationalities other than Bulgarian.

^{6 7} See footnotes on p. 232.

CZECHOSLOVAKIA

INTRODUCTION

Czechoslovakia is home to a disaffected populace and an ever more defensive regime. The increasing rebelliousness of Czechoslovak youth, the spread of dissent beyond intellectual circles, and the burgeoning independent activity of church prelates and laity alike demonstrate that the gap between regime and society is growing wider rather than closing in post-1968 "normalized" Czechoslovakia.

Czechoslovakia also is home to a long-standing human rights monitoring movement which is unique in the region for withstanding the state's attempts to interrupt its work, and for its continuing growth in membership and the scope of its endeavors. Czechoslovak human rights monitors painstakingly document and publicize their Government's violations of its own laws as well as the commitments it has undertaken in international fora.

The Czechoslovak regime continues to exile, imprison and harass in numerous ways those Czechoslovak citizens who register their criticism of the regime, whether in public proclamations or private correspondence. It seeks to stem all independent development of Czechoslovak culture beyond the bounds set by the state. And it sharply restricts its citizens' contacts with the outside world.

Czechoslovak citizens who express independent opinions on any subject which the regime considers its domain are charged with subversion, incitement, defamation of the Republic, or damaging the interests of the Republic abroad. Citizens who seek contact with foreign diplomats or visit embassy libraries have been charged with espionage. Believers arrested for their religious activities are charged with obstructing state supervision over churches. And like the authorities in neighboring East European countries, Czechoslovak authorities have brought political and religious activists to trial on trumped-up criminal charges.

CIVIL AND POLITICAL RIGHTS

Charter 77, a coalition of Czechoslovak citizens united in their determination to encourage official compliance with the human rights agreements it has signed, represents one of the most active independent movements in Eastern Europe or the Soviet Union. Since 1977, when 241 people signed the Charter 77 manifesto, the number of signatories has risen to over 1,100. The manifesto stated, and subsequently issued charter documents have confirmed, that the purpose of Charter 77 is not to set up an opposition body targeted against the party and Government, nor to seek to change the Czechoslovak system, but rather to establish a mechanism whereby private citizens can maintain a dialogue with the Government. Charter documents have focused on economic and social issues touching Czechoslovak society as well as limitations on the rights of the individual.

Charter 77 has carried on debate with parties outside of Czechoslovakia as well. It has addressed independent East European groups such as Poland's Solidarity and Hungary's Danube Circle, international conferences, such as the recently concluded Bern

Human Contacts Experts Meeting of the 35 Helsinki Final Act signatories, and Western peace groups. It has promoted steadfastly the principle of the indivisibility of peace and human rights which all charter signatories share. The Prague Appeal, which Charter 77 issued in March 1985, explains the link the charter signatories see between peace and human rights:

The freedom and dignity of individual citizens are the key to the freedom and self-determination of nations. And only sovereign nations can transform Europe into a community of equal partners which would not pose the threat of a global nuclear war, but instead serve as an example of real peaceful coexistence.¹

In April 1978, Charter 77 signatories founded the working group VONS, the Committee for the Defense of the Unjustly Persecuted. Its work complements the work of Charter 77, but it focuses solely on specific cases of human rights abuses in Czechoslovakia. VONS members, who have all signed onto the Charter 77 manifesto, play a monitoring and advocacy role for Czechoslovak political prisoners incarcerated for the exercising of their human rights. They also provide support for political prisoners' families. VONS issues frequent communiques describing the repression of human rights and independent cultural activists.

The Czechoslovak authorities have responded to Charter 77 and VONS with harassment, detention, imprisonment and increasing surveillance of activists. For a time, the regime seemed to favor meting out suspended sentences and reduction of liberties rather than actually imprisoning activists. Consequently, there were few political prisoners in Czechoslovakia incarcerated for their human rights work rather than their attempts to leave the country, for which many political prisoners are serving time. However, harassment of human rights activists continues and has even increased. And recently, authorities have renewed the crack down on citizens who have sought to follow an independent path in social, cultural and religious life with detentions and imprisonment.

At present, 6 Charter 77 signatories are serving prison terms or are in detention—Walter Kania, serving 2 years for "harming the interests of the Republic abroad;" Frantisek Veis, serving 12 years for espionage; Jiri Wolf, serving 6 years for "subversion;" Herman Chromy, serving 2 years for "incitement;" and Jan Dus, detained during a house search and charged with "harming the interests of the Republic abroad and subversion." Eduard Vacek, serving 1 year for "possessing, distributing and producing ideologically objectionable literature." These and other current Charter 77 and VONS cases are included in the annex to this report.

During the period under review the regime inaugurated a new method to hamper Charter 77 and VONS activists' efforts. This method of harassment grew out of a 1963 statute which legalized a strict regimen of curfews, interrogations and restricted movement for chronic criminal offenders released from prison. According to Amnesty International, it was first employed against Czechoslovak political activists in 1981. In 1984 it was invoked to control the

¹ See footnote on p. 232.

movement of Charter 77 signatories and VONS members Ladislav Lis and Jan Litomisky. Under the protective supervision regimen, Lis and Litomisky were required to report daily to the police station, provide authorities with information on their jobs and salaries, let their homes be searched at any time, observe strict curfews, and obtain prior permission to travel outside their assigned places of residence. Litomisky's term of protective supervision was scheduled to end in 1986.

Four former political prisoners in addition to Lis were confined in 1986 by protective supervision: Jiri Gruntorad, Frantisek Starek, Ivan Jirous and Petr Cibulka. All are Charter 77 signatories. Starek and Jirous were involved in the independent development of culture through the *samizdat* periodical *Vokno* ("Window") and the pop musical group, "Plastic People of the Universe," whose prosecution in 1976 was closely tied with the formation of Charter 77. Released from prison in May 1984 and May 1985 respectively, Starek and Jirous next faced 2- and 3-year terms of protective supervision each. Gruntorad, released from prison in January 1985 after serving almost 4 years for his independent publishing activities and subsequent complaints that guards had beaten him in prison, was made subject to protective supervision for 3 years. Cibulka, released in July 1986 after 7 months' imprisonment for "insulting the nation," faces a further sentence of 3 years' protective supervision and a ban on visiting Prague. In September 1986 Cibulka was detained again for violating the terms of his protective supervision sentence.

Still others have terms of protective supervision awaiting them upon release from prison. Jiri Wolf, for instance, was sentenced in 1983 to 6 years imprisonment and 3 years "protective supervision" for subversion. This latest imprisonment, Wolf's third, was due to his dissemination of Charter 77 materials and informing foreign journalists and a Western Embassy in Prague of prison conditions in Czechoslovakia.

Many Charter 77 signatories, while technically free, are hampered in their activities by unceasing harassment. Playwright Vaclav Havel, an original signatory of Charter 77 and one of its first spokespersons, has had a long history of conflict with the Czechoslovak authorities. First sentenced in 1977 upon publication of the Charter 77 manifesto for "harming the interests of the Republic abroad," Havel has withstood several detentions, imprisonment, surveillance, house searches and other unending harassment from authorities. In January 1983, after serving 3½ years of a 4½-year sentence, Havel was released from prison into the intensive care unit of a civilian hospital after falling seriously ill. In late 1985 he wrote a letter to the Czechoslovak Prosecutor General (which subsequently appeared in *The Washington Post* in December 1985) protesting police harassment during his auto trip to visit friends in Czechoslovakia.

Political prisoners incarcerated in Czechoslovakia range from Charter 77 signatories to religious activists to citizens who have sought to leave the country without official permission. The number of political prisoners is not known, but the U.S. State Department estimates that it falls between 300 and 1,000. Most of the would-be emigrants imprisoned in Czechoslovakia receive 1- to 2-

year sentences, but VONS has documented cases in which such prisoners have served for 10 or more years on multiple charges associated with their attempted escape.

Under Czechoslovak law, detainees can be held for up to 48 hours without charges. This limit often is exceeded in practice. One common form of harassment used against political activists is repeated 48-hour detentions. Authorities also employ searches and interrogations to harass citizens into inaction.

Detainees may be held for 60 days for investigation if the authorities decide to press charges. Investigative detention may be and often is extended at the request of the prosecution, and detainees occasionally are held for long periods without being brought to trial. During this time, they are not permitted to receive family visitors. On occasion, detentions without charges have lasted for up to 1 year. For example, ethnic Hungarian human rights advocate Miklos Duray was arrested in May 1984 and released 1 year later without ever having been brought to trial. In general, however, Czechoslovak authorities do not detain suspects for a long time, but instead release them pending trial.

Czechoslovak law provides that citizens charged with criminal offenses should be granted a fair and open public trial. The law provides that the accused has a right to be informed of the charges against him, to have counsel, and to present a defense. Few of these legal guarantees are effective in practice. However, authorities began in 1985 for the first time to allow Western diplomatic representatives on occasion to attend Czechoslovak trials.

The Czechoslovak Constitution theoretically guarantees freedom of speech and the press. However, it proclaims explicitly that freedom of expression will be safeguarded only if it accords with the "interests of the working class." Article 100 of the Czechoslovak Criminal Code (incitement) or article 112 (harming the interests of the Republic abroad) are the most common articles invoked to curb freedom of expression in Czechoslovakia.

In the period covered by this Implementation Report, the Czechoslovak regime intensified its campaign to stem all independent cultural and publishing activities. Throughout the period, VONS has documented police harassment of rock concert performers and attendees. The years 1982 and 1983 saw a series of vitriolic pieces on contemporary music in official newspapers. Charter 77 identified the source of the regime's concern about contemporary cultural developments in the fact that in Czechoslovakia, a "relatively silent" country, where "(s)ilence equals even the ritual repetition of worn-out words and phrases," a singer becomes "also a poet, preacher and spokesman."²

In October 1984, the Czechoslovak Ministry of Culture ordered the disbanding of the 7,000-member Jazz Section of the Czechoslovak Musicians' Union. This attempt to end the Jazz Section's activities through direct means was far from the first attack by the regime, which had become increasingly alarmed over the independent publishing activities of the Section—focusing largely on non-conformist art—and the growing popularity of rock music. In

² See footnote on p. 232.

March 1985, the Jazz Section was dissolved under a statute dating from 1968 which bans counter-revolutionary activity. However, the Chairman of the Jazz Section, Karel Srp, and his deputy, Josef Skalnik, contend that the Government's dissolution of the Section alone could not end the Section's activities, as it is a member of the International Jazz Federation of the Music Council of UNESCO.

In September 1985, the Jazz Section's financial records and membership lists were confiscated after police searched the Section's offices and its leaders' apartments. In the same month Jazz Section member and Charter 77 signatory Petr Cibulka was sentenced to 7 months imprisonment for "insulting the nation." Authorities confiscated Srp's passport and levied criminal charges against him. In September 1986, the authorities moved decisively against the Section, arresting seven of its members, including Srp and Skalnik. They were charged with unauthorized business activities. Sentences for such charges can range from 2 to 8 years.

On September 30, 1986, four associates of the Jazz Section announced the formation of the Action Committee for the Jazz Section. The Committee's aims are to represent the Jazz Section temporarily, work for the release of Jazz Section detainees, continue the Section's activities, and support the detainees' families. In October, the Committee sent an appeal on behalf of the Jazz Section to the CSCE Vienna Review Meeting.

Over 200 writers publish their work in *samizdat* in Czechoslovakia. The writers are interrogated regularly, but rarely are imprisoned for their writings. Instead, the regime usually punishes those who reproduce, distribute and bring into the country *samizdat* materials. For example, in 1985, authorities detained and interrogated five Catholics who allegedly set up an underground printing press for disseminating religious materials. In July of the same year, Petr Kozanek and Zdenek Kotrly were charged with "attempting to damage the Czechoslovak Republic's interests abroad" for trying to take some of Catholic writer Iva Kotrla's manuscripts to Austria in their car. Each was handed a 10-month suspended sentence. Iva Kotrla is the author of three volumes of poetry and a novel, none of which have been published openly in Czechoslovakia.

In 1985, poet Lenka Mareckova was sentenced to 7 months in prison, after a 2-month detention, for incitement. At a reading, she had presented poems which authorities deemed critical of the Czechoslovak system and the Soviet Union. In 1984 Mareckova had been sentenced to a 1-year imprisonment, suspended for 2 years, and had lost an appeal against that sentence. Subsequently, the judge ruled that she had been charged under the wrong provision of the Criminal Code, and re-sentenced her for violating the legal provisions against incitement.

One of Czechoslovakia's most illustrious cultural figures, the late Nobel Prize-winning poet Jaroslav Seifert, also was a victim of state censorship. In its essay on "The Right to Information," Charter 77 observed that the Czechoslovak media embarked on a disinformation campaign, claiming that Seifert was one of the most frequently published poets in the country. The campaign belied the truth that none of Seifert's poetry had been published in Czechoslo-

vakia for 10 years and that his recent poetry had been published, in uncensored form, only abroad or in *samizdat*.³

Czechoslovak citizens unaffiliated with any officially recognized institute or organization cannot legally obtain printing and photocopying equipment. They can and do still own typewriters. However, the Czechoslovak authorities are attempting to halt the dissemination of *samizdat* literature by confiscating typewriters and paper. To justify their action, they cite section 118 of the Czechoslovak Penal Code, on unauthorized business enterprises.

The Charter 77 *samizdat* monthly, *Information about the Charter*, is a special target of harassment. Security police ransacked its editor's apartment for 10 hours after learning that the journal had been awarded the Jan Palach Prize for 1984 in Paris. The search allegedly was sparked by reports that the apartment might be holding weapons, explosives, and other items dangerous to the public.

Despite the official campaign to stamp out *samizdat*, new *samizdat* publications continue to be issued in Czechoslovakia. In 1985, the first issue of the *samizdat* periodical *Komentare* appeared, carrying essays by anonymous Czechoslovak citizens on approaches to peace. It also included contributions by many prominent members of Western peace movements.

Czechoslovak vigilance against "harming the interests of the Republic abroad" extends also to private letters. In November 1985, ecologists Pavel Krivka and Pavel Skoda were sentenced to 3 years and 20 months respectively for subversion and incitement, after they had written and sent a letter to friends in West Germany that detailed the ecological problem areas in Czechoslovakia and the handling of floods there in 1984.

Theoretically, the Czechoslovak Constitution upholds freedom of assembly. However, public meetings may be held only with official permission, and private gatherings are considered subversive. In March 1985, 48 Czechoslovak citizens were detained after meeting in a private home where they had watched historical films. The independent philosophical seminars carried on by Charter 77 signatory Dr. Ladislav Hejdanek consistently have been subject to such harassment, ever since the inception of the seminar series in the late 1970's. Dr. Hejdanek has been subject to numerous detentions and interrogations, most recently in May 1986.

In 1983, Czechoslovakia withdrew from the World Psychiatric Association after that organization declared that Czechoslovakia abused psychiatry for political purposes. During the period covered by this Implementation Report, authorities used psychiatric confinement to punish several individuals for their religious or other independent activities. Most often, such confinement has been ordered for persons who dissent publicly from regime policies or actions. But it is also used to intimidate those whose dissent is expressed in *samizdat* literature and in personal correspondence.

Probably the longest standing case of the abuse of psychiatry in Czechoslovakia involves the Adventist Korinek couple, who went into hiding in July 1985 to escape involuntary incarceration in a

³ See footnote on p. 232.

psychiatric hospital. For over a decade they had been subjected to continual treatment in psychiatric institutions, and had fought a losing battle to regain custody of their children.

Another case of psychiatric abuse occurred in 1984 when Jan Pukalik was charged under article 100 (incitement) for collecting signatures on a petition protesting deployment of Soviet missiles in Czechoslovakia. After he had circulated his petition, Pukalik was detained, interrogated and beaten. Authorities determined that Pukalik was mentally deranged and ordered him into outpatient psychiatric care against his will.

The case of Czech Catholic activist Augustin Navratil is a further instance of psychiatric abuse in Czechoslovakia. In November 1985, Navratil was arrested and jailed in Brno for incitement, after he disseminated a letter alleging that state security forces had been involved in the murder of a clandestinely ordained Catholic priest in 1981. The following month he was transferred to a psychiatric hospital. Prior to his 1985 arrest, Navratil had been forced to undergo psychiatric treatment for distributing religious literature. According to one source, another likely reason for his arrest was the authorities' suspicion that he might be sheltering the Korineks.⁴

Several Charter 77 signatories have had to undergo psychiatric examinations in recent years. They include Tomas Liska, David Nemec, Karel Soukup, Professor Julius Tomin and Father Vaclav Maly. Karel Svorcik was confined to a psychiatric clinic for 3 weeks in fall 1984 after a house search during which police confiscated *samizdat* materials and personal letters.

RELIGIOUS RIGHTS

Next to the Charter 77 and VONS activists, no group in Czechoslovak society troubles the authorities more than religious believers. Compared to the human rights monitors, the churchgoers form a formidably large and committed group; committed, that is, to the practice of their religion over the state's secular and socialization goals. Perhaps nowhere else in Eastern Europe, next to Poland, is the contest between the majority church and the state so heated.

Most worrying to the Government is the church's growing attraction for young people. As Charter 77 signatory Jiri Dienstbier stated, "The church is becoming an outlet for the frustration among the young. . . . It is the only activity left which is official and also a symbol of opposition."⁵

The largest church in Czechoslovakia is the Catholic Church, with an estimated 8 to 11 million members (of a total population of 15½ million). One million or so Czechoslovak citizens are Protestants, and Czechoslovak citizens can belong legally to 16 other officially recognized denominations. Others belong to banned churches with a proselytizing mission, such as the Jehovah's Witnesses and the Mormons.

As elsewhere in Eastern Europe, the Czechoslovak authorities maintain strict control of religion through harsh application of laws and statutes and, most effectively, through state administra-

⁴ ⁵ See footnotes on p. 232.

tion of the various churches. The state's control, centered in the federal and two subsidiary Offices for Religious Affairs, is multi-layered and established through both formal and informal mechanisms—it dictates prelates' appointments and salaries, seminary admissions and religious education directly; it guides the members of *Pacem in Terris*, a political organization of Catholic priests set up by the regime in defiance of the Vatican; and it controls religious contacts through its passport policies and co-opting of several religious organizations. The state also discriminates against believers in employment and education.

Nevertheless, believers persist in practicing their faith and marking life's milestones with religious rituals. The Catholic *samizdat* paper, "Information About the Church," reported recently on a speech by the former Czechoslovak Minister of Religious Affairs, in which he cited some statistics which support the impression that the Catholic Church remains an important institution in many Czechoslovak citizens' lives: in 1984, 71.6 percent of newborn babies in Slovakia and 31.2 percent in the Czech lands were baptized; 53 percent of weddings in Slovakia and 15.8 percent in the Czech lands were conducted in churches; and 80.5 percent of the dead in Slovakia and 50.6 percent in the Czech lands were buried with church rites.⁶

Despite continuing adherence of believers, the church must struggle with a state apparatus that is intent on weakening it and ultimately winning full subservience from it. One of the Catholic Church's greatest complaints against the Czechoslovak authorities is that for years resident bishops have not been appointed to 10 out of 13 bishoprics. The seats are vacant not merely because of a shortage of licensed priests, but because the church's and state's candidates are mutually unacceptable. The state will accept only members of the *Pacem in Terris* organization, the state-sponsored "peace association" of Catholic clergy founded in 1971. The church favors the appointment of only those prelates who have refused to join *Pacem in Terris*. (In 1982, the Vatican banned clergy participation in political organizations.) The majority of Catholic prelates, including Cardinal Tomasek, Archbishop of Prague and Primate of Bohemia, have disassociated themselves from the officially favored organization.

The regime goes further, however, than blocking the appointment of bishops to dioceses. It also assigns priests to parishes and to all higher church offices. It withdraws priests' licenses, and enforces the withdrawals by prosecuting priests who continue to perform religious duties without a license. The most commonly invoked legal provision in such circumstances is article 178 of the Czechoslovak Criminal Code, concerning obstruction of state supervision of churches. In a recent interview with the Italian magazine *Il Sabato*, Cardinal Tomasek, reported that as of 1985, 1,161 of 4,336 parishes in Czechoslovakia had no priest.⁷

In August 1984, Father Adam Rucki's license was revoked without explanation. Earlier in the year Father Rucki had been interrogated by the police concerning his contacts with youth. An appeal

^{6 7} See footnotes on p. 232.

signed by 466 parishioners on his behalf was sent to Cardinal Tomasek. In the same year, authorities revoked the license of Jan Keller, minister of the Czech Brethren Evangelical Church, for organizing informal youth groups. The charges were dropped in February 1986 in the wake of a citizens' protest petition bearing 2,000 signatures; but he remains barred from practicing as a clergyman.

The state controls religious education of both children and clergy, and prohibits unofficial gatherings, such as privately celebrated masses, prayer meetings, and seminars. In a recent incident of unauthorized religious assembly, in 1984, Father Joseph Kajnek received a suspended sentence and lost his license because he allowed an unlicensed prelate to teach religious classes and showed slides to children in a church without obtaining official permission for a meeting. In 1984, state authorities warned Father Bohumil Sitavanc that his note to parents reminding them of the right to register their children for school religious instruction constituted "illicit duplicating" and "interference in family life." He was told that such an action could lead to the loss of his license.

Parents must obtain permission from state officials if they wish their children to receive religious training in elementary school. Thus they become vulnerable to discrimination against themselves and their family. Reportedly, children who have received religious instruction automatically are made ineligible for higher education; their parents often lose their jobs. Moreover, believers are barred from higher public office or managerial positions in almost all non-religious institutions.

In recent years, the two Catholic seminaries in Czechoslovakia accepted a few more students than in recent years (43 students instead of the usual 30 were accepted for the 1984-85 schoolyear; 38 were accepted for 1985-86).⁸ However, according to some sources, although more candidates for the priesthood are being allowed to study at the Bratislava Seminary, a reorganization of professorships may strengthen the state's influence over the curriculum.⁹ And the number of seminary students still falls far below the demands of both would-be priests and parishes.

The Catholic Church in Czechoslovakia, long under siege from the state, is shadowed by an underground church which is even more of a target for official repression. Unlicensed priests, underground publishers and members of religious orders carry on their activities outside the bounds of the officially recognized church.

During the period in review, authorities embarked on a campaign to intimidate suspected Franciscans, members of one of the religious orders which have been banned in Czechoslovakia since 1950 but have occasionally made their continued existence known. In a 1985 pilgrimage in predominantly Catholic Slovakia, for instance, Franciscan monks appeared in public in their habits for the first time since the dissolution of the monasteries. Most of the detained Franciscans have been handed suspended sentences. However, recently authorities have taken a harder line against Franciscans in response to that order's increasing influence and visibility in Czechoslovak religious life. In 1986, a Franciscan prelate, Father

^{8 9} See footnotes on p. 232.

Bystrík Cyril Janík, was sentenced to 28 months in prison for allegedly "obtaining money by deception;" in reality he had participated in religious rituals without a permit.

The growing visibility and strength among believers of these churches in Czechoslovakia have been nowhere more apparent than in the pilgrimages and church celebrations that recently have taken place in the country. In April 1985, over 1,000 Catholic priests, both licensed and banned, gathered at Velehrad for the opening celebration of the 1,100th anniversary of the death of St. Methodius, which was conducted by Cardinal Tomasek. The celebration continued in July, when 150,000 Czechoslovak Catholics participated in the Velehrad pilgrimage, the largest religious gathering in Czechoslovak postwar history. Many instances of restrictions of religious rights took place around the 1985 pilgrimage to Velehrad, including the state's withdrawal of licenses from three priests.

The church's conflict with the authorities over Velehrad had begun already in early 1984, when Catholics began to collect signatures on an invitation to the celebration addressed to the Pope. The group collected 20,000 names on the invitation before it abandoned its efforts due to official harassment. In February 1985, Cardinal Tomasek took up the cause personally by extending an invitation to the Pope. In the end, not only the Pope, but also Polish Primate Cardinal Glemp, Archbishop of Vienna Cardinal Koenig, Archbishop of Paris Cardinal Lustiger and Primate of England and Wales Cardinal Hume were refused Czechoslovak permission to come to Velehrad.

The state enjoys substantial control over church publications. It can hire and fire employees, as well as exercise censorship directly. In 1984, the editorial board of *Cesky Bratr*, the Czech Brethren Church periodical, was fired when all its members refused to suspend publication of an issue deemed offensive to the state.

Religious *samizdat* is a source of unending concern to Czechoslovak secular authorities. A number of detentions and arrests for possession and distribution of religious *samizdat* occurred during the period under review. In 1984, Matej Nemeth, a Catholic priest, was accused of possessing illegal religious material and was charged with incitement. Also, three Slovak Catholics were given sentences of 16-18 months in March 1985 for having tried to carry religious material from Poland into Czechoslovakia. They were charged with "violating the regulations regarding exchange of goods with foreign countries." Their trial provoked considerable protest both inside the country and abroad. For example, seven Czechoslovak Catholic mothers signed a protest against the convictions, which was later publicized in *samizdat*. In June 1985, their sentences were reduced to 14 months.

In May 1986, six Catholics went on trial for importing, duplicating and disseminating religious literature. They were tried on the usual charge of obstructing state supervision of the church for possessing and using typewriters, duplicators and religious literature from abroad. The indictment against them condemned "the increased activity of the Catholic Church in Czechoslovakia," especially its secretly ordained priests who "led the accused to believe

that there is insufficient religious liberty in the country." ¹⁰ None of the accused were sentenced to prison.

Other denominations beside the Catholic Church are involved in the printing and distribution of religious *samizdat* materials. In October 1984, Jan Juhascik and Rudolf Sobanos were arrested in eastern Slovakia with 700 Russian language Bibles (printed in the West) in their car; Juhascik's father was arrested the next day. Several days later Vladislav Rakay was arrested when 1,000 Bibles were found in his possession. All are members of the Church of the Brethren, and were charged with seeking to smuggle the Bibles into the Soviet Union.

Czechoslovak believers are taking an increasingly strong stance in defending their rights. In February 1986, Catholics in Gottwaldow, the scene of a state crackdown on independent religious activity in fall 1985, drew up a petition protesting the state's abuse of believers' rights and addressed to the Czechoslovak Minister of Culture (who oversees the Office of Church Affairs). The petition demanded the release of individuals incarcerated for their "attempts to compensate for the lack of literature, principally religious [literature] . . ." ¹¹

Czechoslovakia's Jewish community has some 7,000 adherents, the vast majority of whom are elderly. A central body, the Community of Religious Congregations, regulates the Jewish community's affairs in both the Czech and Slovak regions. It is financed in large part by the state. Jewish religious life is in a state of decay, with infrequent religious services, and next to no religious education.

Until 1984, Czech Jews had neither a rabbi nor a religious school. Slovakia had just one rabbi. In spring 1984, Rabbi Daniel Mayer, trained in the Rabbinical Seminary in Budapest, became Prague's first resident rabbi since 1970. Now two rabbis serve the Czechoslovak Jewish community, one in Prague and one in Kosice. Nevertheless, Czechoslovak Jews have little hope for the continuation of the centuries-old Jewish life in Czechoslovakia in coming decades.

THE PEACE MOVEMENT

The peace movement in Czechoslovakia falls into three categories: the official, state-sponsored campaign, the tools of which are press articles and secular leaders' public addresses; the debate by and among Charter 77 signatories and other Europeans interested in peace issues; and spontaneous demonstrations by the young and religious believers. Churches in Czechoslovakia have not been as involved in the peace movement as churches in other East European countries such as the G.D.R. or Hungary, in part because they do not enjoy as strong a position vis-a-vis the state.

The authorities have made clear that they will not tolerate independent participation in the peace movement, which they claim as the regime's own province. Authorities did allow protest letters from private citizens against stationing of missiles in Czechoslovakia to be published in *Rude Pravo*; but this is the farthest authorities allowed independent participation to go. In 1983, Interior Min-

^{10 11} See footnotes on p. 232.

istry warned Charter 77 leaders that the authorities would regard any attempt to oppose the deployment of Soviet missiles as subversion (which can carry a sentence of up to 10 years). In spite of the warning, throughout the period in review, Charter 77 has continued to participate in debates on peace.

The World Peace Council held a "World Assembly for Peace and Life Against Nuclear War" in Prague in June 1983. The Council shut out Charter 77 participation. Nevertheless, Charter 77 members managed to meet outside the conference with West European activists, who signed a joint statement proclaiming that "peace and human rights belong together." Charter activists were harassed throughout the Assembly, causing Greenpeace and Pax Christi International to withdraw their delegates. Delegates representing the Federal Republic's Green Party also walked out of the Assembly to protest Czechoslovak stifling of the freedoms of the press and expression.

Charter 77 has issued many manifestos and other thought pieces reflecting a wide range of ideas on the arms race and peace. The most important peace-related document to emerge from Charter 77 is the Prague Appeal of March 1985. It represents the widest consensus yet of unofficial Czechoslovak thinking on the issue of peace. The Appeal was the result of months long discussions between charter signatories and was sent to a peace movement congress in Amsterdam. Not only Czechoslovak citizens but also citizens of other West and East European states entered into dialogue with the signatories to the Appeal, and that dialogue has not yet ended.

The Prague Appeal was the unofficial Czechoslovak reply to a West European peace movement which seemed to many Czechoslovak human rights monitors to be excessively one-sided (limited to criticizing the Western arms build-up and making only very faint references to the Eastern build-up) and too willing to dispense with human rights beyond the right to live in security. It identified the division of Europe as the root of its citizens' insecurity and took as its starting point, "Our common hope . . . lies in overcoming this division." It praised the Conference on Security and Cooperation in Europe for conducting negotiations between equal partners rather than blocs. And it called for Europeans to begin to debate previously taboo subjects which the peace movement so far had only skirted, including the division of Germany and withdrawal of foreign troops. Its solution was not to redraw European borders, but rather to make such redrawing unnecessary. The core of the document was the long-held Charter 77 premise, "(T)he principle of the indivisibility of peace, a legacy of European culture, has been embodied in relations not only between states, but also between the state and society, and between citizens and governments."¹²

Charter 77's manifestos to other peace groups in Western and Eastern Europe were accompanied by suggestions to the Czechoslovak regime for reforms in military service requirements. In 1985, for example, Charter 77 proposed to the Czechoslovak Federal Assembly that Czechoslovakia follow the example of the German

¹² See footnote on p. 232.

Democratic Republic and the Federal Republic of Germany and shorten mandatory military service from 24 to 18 months. The charter also suggested that like neighboring countries, Czechoslovakia should establish an alternative form of service for those citizens whose consciences or religion made it morally impossible for them to bear arms.

The third category of peace activities, spontaneous demonstrations, has gained momentum in the past few years. The demonstrations have ranged from circulating individual petitions against deployment of missiles to graffiti critical of the arms race to chanting of peace slogans at unofficial gatherings. The largest gathering of this type took place in December 1985 on the fifth anniversary of singer John Lennon's death. On this occasion, a group of mostly young people which ranged at different times from an estimated 200 to 1,000 participants, marched through the streets of Prague with a picture of Lennon bearing the inscription, "When will there be peace, John?" The crowd grew increasingly outspoken as its march progressed, chanting at different times, "We want freedom, we want peace," "No missile is a peace missile," "Do away with the Army," and "Do away with the SS-20s." In a positive development, police did not respond with force to break up the demonstration.¹³

In May 1986, a group of young people applied for official approval to form an organization called "Young Art for Peace." The group intended "to search for answers and for assistance in the pursuit of peace, disarmament, and the spreading and development of moral values." Authorities intimidated the would-be members of the group, persuading them through threats of unemployment and criminal prosecution to withdraw their request in June.

ECONOMIC AND SOCIAL RIGHTS

Long credited with enjoying one of the highest standards of living in Eastern Europe, in recent years Czechoslovakia has experienced an economic decline. The economy, dogged by central planning, aging infrastructure in a state of increasing disrepair and high energy costs, is stagnating, while any notion of substantive economic reform remains anathema to the regime. The regime has offered few incentives to labor and has allowed next to no scope for private activities in any sector of the economy. Despite the declining economic situation, most citizens have access to adequate means of existence, including food, shelter and medical care. But with such an economic decline, the regime is left with less and less to offer its citizens in the way of an improved quality of life.

Charter 77 has issued commentaries on the very serious problems Czechoslovakia faces in the economic, social and environmental areas. In doing so, it has come to fill a vacuum in Czechoslovak society where, as Charter 77 points out in its essay on "The Right to Information," "it is forbidden to make public anything dealing with important economic and ecological problems," and official newspapers carry only "optimistic-sounding ideas."¹⁴ Charter essays published during the period in review addressed such

¹³ ¹⁴ See footnotes on p. 232.

themes as the environmental impact of certain construction plans, discrimination in employment, the shortfalls of the national health system, proposed economic reforms and the Chernobyl disaster.

Charter 77 points out that in many of these areas the Czechoslovak regime has violated its commitment to uphold broad economic and social rights. One charter criticism which echoes the opinions of other independent commentators in Eastern Europe addresses the moral decline which accompanies a stagnating political situation. Charter signatories have pointed out,

"Society is permeated with corruption, bribery, abuse of positions, shoddy work, cheating, pilfering, indifference to the soil which feeds us, indifference to values which were entrusted to us, squandering of those values and wasting human work."¹⁵

The increasing number of articles on economic crime in the official press demonstrates that the Charter 77 criticism has hit on a phenomenon that worries the secular authorities as well.

Another issue which Charter 77 has raised is discrimination throughout Czechoslovak society. Advancement in employment is contingent as much on political loyalty as qualifications. Many Charter 77 signatories and others who participated in the heady Prague spring of 1968 continue to work in menial jobs.

Discrimination crosses generational lines, and affects educational opportunities as well. The regime continues to intimidate the families of human rights activists by discrimination in higher education. In recent years, the children of several prominent Charter 77 signatories have encountered educational barriers. Some have sought to continue their education abroad and have been compelled to go into exile. In 1984, Jiri Dienstbier's daughter was permitted to accept a scholarship on the condition that she renounce her Czechoslovak citizenship. In 1986, Jiri Hajek's son likewise was required to renounce his citizenship in order to pursue his education in Norway. Education is politicized to the point where it is "subordinated . . . to ideology; the schools are presenting a distorted picture of reality and are deforming the cultural awareness of the young generation."¹⁶

Workers in Czechoslovakia are neither allowed "freely to establish" unions, nor to avoid becoming members of the state-sponsored workers' organization, the Revolutionary Workers' Movement (ROH). The right to strike does not exist in Czechoslovakia. However, on occasion workers' organizations within industries or factories have been able to gain some improvements in working conditions through negotiation with management.

Only a few instances of independent labor activity have been reported during the period under review. In December 1982, four young Czechoslovaks were sentenced to 1 to 4 years in prison for disseminating leaflets urging solidarity with Polish workers. And in late 1983 the "Preparatory Committee for Free Trade Unions" issued a statement criticizing the official trade unions for having supported the Government's decision to accept the deployment of Soviet missiles in Czechoslovakia.

^{15 16} See footnotes on p. 232.

ETHNIC RIGHTS

Only about 5 percent of the Czechoslovak population is not ethnically Czech or Slovak. Approximately 550,000 Hungarians live in Czechoslovakia. They are proportionally represented in federal and local legislative bodies but are underrepresented in high-level jobs in industry, the Government and the party. The state provides some elementary and secondary education in Hungarian and permits a limited number of ethnic Hungarians to pursue higher education in Hungarian. Czechoslovakia's small Gypsy population, numbering about 250,000, faces discrimination as it does elsewhere in Eastern Europe.

In November 1982, ethnic Hungarian minority rights proponent Miklos Duray was interrogated by police about his criticisms of Czechoslovak minority policies, which had appeared in *samizdat* and in publications in the West (including a report to the CSCE Madrid meeting on resolving internal minority problems). In February 1983 he was tried for "hostile acts against the state" (section 98 of the Criminal Code), but the trial ended without a verdict and he was released. The charge against Duray was never dropped. In August 1983, he signed the Charter 77 manifesto.

Duray came into conflict with the Czechoslovak authorities once again in May 1984, when he was arrested following his protests against a new schooling law in Slovakia which the Hungarian minority in Czechoslovakia (which is concentrated in Slovakia, where it comprises 11 percent of the population) regarded to be damaging to Hungarian-language education. Duray had organized a widespread protest against an education reform law which permits the curtailment of minority language teaching in Slovak schools. He was released on May 10, 1985, from prison in Slovakia after 1 year's detention; he had never formally been charged.

CZECHOSLOVAKIA AND THE CSCE PROCESS

In November 1983, Charter 77 spokespeople sent a letter to President Husak in which they reconfirmed the link between peace and human rights and pointed out specific ways in which Czechoslovakia could better meet its Helsinki obligations as reaffirmed at Madrid. These included: amending the Czechoslovak legal system to make it correspond to international obligations; supporting the creation of a Czechoslovak Human Rights Committee competent to handle reports from individuals on the implementation of the U.N. Covenant on Civil and Political Rights; and respecting citizens' initiatives by individuals and by informal or formal associations. As in the case of all Charter 77 initiatives, the Government never replied.

The CSCE process provides Western countries with an opportunity to bring to light Czechoslovak violations of its citizens' rights and to pursue the resolution of specific cases. But when it comes to engaging in dialogue about human rights concerns, the Czechoslovak authorities are as loathe to discuss these concerns with CSCE delegations as with their own citizenry.

GERMAN DEMOCRATIC REPUBLIC

INTRODUCTION

The continuing high levels of legal emigration from the German Democratic Republic, as well as the isolated, desperate and infrequently successful escape attempts over the border with the Federal Republic of Germany, testify not only to the lure of the West to East German citizens but also to continuing repression in the German Democratic Republic. Living in the heart of Europe, well within reach of West European media, East Germans hear of life in the West every day, and are in a position to compare their society to neighboring ones, as well as to share in at least a limited way in the movements that ripple through those societies. The West European peace movement, for instance, found particular resonance in the German Democratic Republic in recent years.

Enjoying the highest standard of living in Eastern Europe, East Germans enjoy few of the freedoms which accompany prosperity in the West. Yet some have found accommodation with the Government in a closely circumscribed but significant sphere of independent cultural and religious life. The majority Evangelical (Lutheran) Church, for instance, plays an active role in the life of the German Democratic Republic.

CIVIL AND POLITICAL RIGHTS

Specific regulations significantly limit the activities of G.D.R. citizens, but the broad application of generally worded laws is the most severe threat to human rights in that country. For example, a 1981 law on house arrests allows authorities to order the detention and questioning of citizens suspected of being threats to security "even if a violation of a particular law has not occurred." The Penal Code provides that the transmission of information damaging to the interests of the German Democratic Republic, even if it is not secret, may be considered treason. Laws against "anti-state agitation" and "asocial behavior" (parasitism) frequently are used to curb citizens' independent activities.

The G.D.R. Constitution guarantees the freedoms of conscience, belief, expression, the press, peaceful assembly and association. However, the official commentary to the Constitution limits these freedoms with the countervailing "(c)onstitutional duty to oppose . . . the spreading of anti-socialist ideology which is practiced in the name of 'freedom,' 'democracy,' or 'humanity.'" Thus, individuals face imprisonment for: sending unclassified information to individuals or groups abroad which can harm the interests of the G.D.R.; criticizing the condition of G.D.R. society and its allies; and disseminating publications or symbols which can "disturb the Socialist way of life or bring the state or public order into contempt." G.D.R. authorities do not consider independent human rights advocacy to be a legitimate or legal activity.

A few small, unofficial human rights groups are known to exist in the G.D.R. Over the past few years, small dissident groups have formed on occasion and been suppressed by the authorities. The German Democratic Republic has a state-sponsored Committee for

the Protection of Human Rights which monitors human rights concerns in the West.

G.D.R. citizens involved in political activities are subject to frequent police interrogations, even when formal charges have not been brought against them. Lengthy pre-trial detention is common for political prisoners. Detainees legally may be held for 3 months before charges are brought against them, but authorities have been known to extend this period. Although G.D.R. law requires prompt notification of a detainee's family or employer, in most cases involving political detainees notification of interested parties comes far later than 24 hours after detention. Political trials are closed to observers, despite the guarantee of "fair" and "public" trials guaranteed in the Constitution.

The number of political prisoners in the German Democratic Republic is unknown. Estimates from various Western human rights organizations between 1982 and 1986 have ranged from 6,000 to 10,000. This number includes citizens who have sought to leave the country by applying to emigrate or through illegal channels, peace activists, opposition Marxists and conscientious objectors who have refused to be drafted into the East German military. An F.R.G. government agency which monitors G.D.R. human rights violations, the *Zentrale Erfassungstelle Salzgitter*, announced in 1986 that it had noted 24,716 prosecutions for political offenses in the German Democratic Republic since the Berlin Wall was erected 25 years ago.

Many ex-political prisoners are permitted to emigrate through official procedures after their prison terms are complete; alternatively, they are "bought out" by the West German Government. Since 1963, when the Federal Republic of Germany began to pay for the emigration of G.D.R. political prisoners, it has paid for the freedom of approximately 25,000 such prisoners. Each year, increasing numbers of ex-political prisoners have emigrated to the Federal Republic through this informal intra-German program. The Federal Republic bought out about 1,000 G.D.R. political prisoners in 1982, 1,034 in 1983; 2,341 in 1984 and 2,676 in 1985.¹

The freedom of assembly that theoretically is safeguarded in the G.D.R. Constitution is significantly limited by various articles in the Penal Code. The Code stipulates that citizens "uniting to pursue illegal goals" can be sentenced to up to 5 years imprisonment. Leaders of such gatherings can receive 8-year sentences. "Riotous assembly," "rowdyism" and "impeding state and social activity" are some of the categories under which participants in unauthorized gatherings are prosecuted.

Restrictions on the freedom to associate with others extend beyond the German Democratic Republic's boundaries. Section 219 of the Penal Code prohibits "establish(ing) contacts with organizations, institutions, groups of persons or individuals whose aims are opposed to the State system of the German Democratic Republic." Written as well as personal contact comes under this provision, and section 219 often is invoked to halt G.D.R. citizens' publishing activities abroad. In February 1984, authorities arrested songwriter

¹ See footnote on p. 232.

Karlheinz Bomberg after he transmitted copies of some of his songs to contacts in the West. He was handed a 30-month suspended sentence for unlawful contacts with foreigners. In April of the same year, author Lutz Rathenow wrote a letter of protest to the G.D.R. Ministry of Culture because he had not been allowed to receive a copy of his book published in the Federal Republic. (Rathenow, imprisoned in 1980, was the first East German writer to be imprisoned for publishing his works abroad.) He was refused permission to visit the University of Texas in 1986 because, as the G.D.R. authorities informed him, he did not fit the profile of G.D.R. cultural figures who present a positive image of the German Democratic Republic abroad and who would be allowed foreign travel. G.D.R. economist Hermann von Berg lost his Humboldt University professorship in 1985 because one of his books was published in the Federal Republic of Germany.

Restrictions on the freedoms of association and assembly reach equally into private homes. In recent years, the regime has implemented existing regulations more consistently than previously to prevent political gatherings in private. Since February 1983, in the wake of a Christmastime and New Year's wave of arrests and other harassment of independent peace activists, the authorities have prosecuted attendees of meetings, discussion groups and exhibits in private homes who have not obtained an official permit prior to their gatherings. Thus the authorities have further circumscribed the already narrow fora in which G.D.R. citizens can share their independent opinions.

In May 1984, the G.D.R. *Law Gazette* published an update of a decree on police powers over unauthorized demonstrations and petitions which "abuse the interests of society" or constitute "offenses against the public order and security." The prohibition of unauthorized demonstrations extends to symbols and signs. Publication of the decree seemed to be targeted specifically at symbols such as the "Swords into Ploughshares" badges which independent peace advocates sported on their sleeves and which were banned in 1982. In February 1985, four peace activists were sentenced to 5 to 8 months in prison for printing signs criticizing the stationing of Soviet missiles in the German Democratic Republic.

A July 1984 decree authorized the levying of a 500-mark fine for "disturbances of the socialist community life." According to this law, citizens will be prosecuted who "organize, support, or in some other way participate in a gathering which is likely to flout society's interests or to affect adversely the public order and security," "evince or encourage in a demonstrative way a disrespect for laws and other legal regulations, or national or social interest," or "make use of themes, symbols, or other signs in a way which goes against governmental or social interests."

The detentions, arrests and other punishment of citizens whose independent actions ranged from public demonstrations to private discussion show clearly that independent political participation by citizens is anathema to G.D.R. authorities. In January 1983, peace activist Roland Jahn was arrested for "defaming the nation" after he had carried a flag publicly manifesting support for the independent Polish trade union, Solidarity. In June of that year, he was removed forcibly from the German Democratic Republic and

stripped of his citizenship. Some 25 other peace activists were forced to leave the German Democratic Republic shortly thereafter. In 1984, four members of the Weimar Montagskreise, a church-connected discussion group, were sentenced to up to 32 months in prison for "prejudicing state and social activity" and "illegal association." In mid-July of the same year, four more activists were sentenced to 24 to 34 months in prison for disseminating literature which spoke against the German Democratic Republic's official policies concerning peace and the environment and which called for a boycott of the upcoming local elections.

RELIGIOUS RIGHTS

While East German activists seeking to exercise political rights independently have been prosecuted, many activists have found some room for maneuver within the Evangelical (Lutheran) Church. While not immune to government censure and sanctions, church officials play a prominent role in secular as well as in spiritual life. In a process of continued accommodation, the church has established a place for itself in the East German political order, forcing the regime to grant it some leeway in return for the church's acceptance of the party's leading role in the German Democratic Republic. Next to the Polish Catholic Church, the Evangelical Church enjoys the most autonomy from the state of any East European church.

The situation of the church in the German Democratic Republic is unique among the East European churches in many respects. Almost equal numbers of East Germans claim no religious affiliation as belong to the Evangelical Church (45 percent versus 47 percent), and 8 percent claim membership in the Catholic Church. Thus only a narrow majority of the population claims to have religious loyalties. Even if the Evangelical Church in the G.D.R. were inclined to play the sort of all-encompassing role that the Catholic Church in Poland does, its membership numbers could not sustain a struggle with the state over social and political power.

Despite relatively small numbers, the Evangelical Church enjoys broad latitude in the German Democratic Republic. It owns property, publishes and is involved in religious broadcasting. It collects church taxes directly from believers and sends its students to six state-funded theological seminaries at G.D.R. universities. Since the immediate post-war years, the church actively has explored social issues and sometimes has provided the Government with a social safety net which is evident in areas such as child care, medical services and care for the elderly. The state has not placed barriers in the way of the church's private supplementation of state-provided social welfare services. The church also provides ample opportunity for musicians and other artists, and can boast more church-associated musicians proportionate to population than any other church in the world.²

The framework which guides the life of the church in the German Democratic Republic was established in a 1978 meeting between President Honecker and East German Bishop Albrecht

² See footnote on p. 232.

Schoenherr. Bishop Schoenherr declared that the Evangelical Church sought to be a "Church in Socialism" which would recognize the existing power structure and still carve out a place and a mission for itself in G.D.R. society. Thus the church would play the role of a loyal opposition, criticizing some regime policies while accepting the regime's primacy in secular affairs.

In 1983, the East German Government appeared to relax control of the churches, particularly in the realm of censorship. Certain nonconformist musicians and writers were allowed to perform in church facilities, and some previously banned subjects were permitted to be discussed. The relaxation trend did not last beyond 1983, and in any case close state surveillance of the church's activities remained uninterrupted. Nevertheless, the Evangelical Church has spoken out increasingly on foreign policy issues, such as intra-German relations, and on domestic issues, such as alcoholism, crime, juvenile delinquency and the militarization of society.

G.D.R. President Erich Honecker has sought to establish amiable relations with church leaders. When the Protestant Church Federation elected a new leadership in 1985, he sent a highly complimentary letter of congratulations to the Federation which was reprinted in the state press. Church activities usually are treated favorably in the official media.

Various instances of church-state cooperation attest to the ability of these two institutions to coexist in the German Democratic Republic, with compromises made on both sides. The 500th anniversary of the birth of Martin Luther in 1983 was such an occasion. 200,000 people attended seven different congresses organized by the Protestant Churches to mark the anniversary. The fact that the church-sponsored discussion groups set up for the celebration went well beyond the immediate subject of their gatherings to such social issues as family life, suicide, alcoholism, juvenile delinquency and pacifism attests to the church's involvement with society in a wide range of secular areas.

State participation in the administration of the church, while minimal, causes some friction between secular and church authorities. The Evangelical Church Synod complains that the state does not provide sufficient materials to maintain and restore existing churches. But the German Democratic Republic does not experience divisive showdowns between churchgoers and state authorities over building code violations, licensing or other state interference in what the church considers its own domain. One positive development during the period under review was the state's decision of March 1985 to pay pensions to Protestant deaconesses (who perform social work). With this decision, the state signalled that it recognized and valued the contributions of church workers to G.D.R. society beyond the religious community.

The state regulates the printing and distribution of religious materials in the German Democratic Republic. Some church newspapers have been delayed, withdrawn from circulation, or self-censored under government pressure because letters on sensitive questions were to appear in various issues. In September 1984, for instance, government monitors suspended distribution of the Evangelical Church newspaper *Mecklenburgische Kirchenzeitung* until a report on a church synod discussion of environmental issues, de-

ployment of nuclear weapons in Europe, and the German Democratic Republic's conscription policy was excised. Earlier in that year, state censors pulled an issue of the church bulletin *Der Sonntag* which contained a poem deemed objectionable to the state.

Individual believers still are prey to state-sponsored surveillance and discrimination as the regime continues to press for full allegiance to the state over the church. Western-based human rights groups regularly have received reports of official discrimination against believers' children in state schools and universities.

Reportedly, believers discussed many of their concerns about official discrimination in a number of church synods during the period in review. For instance, discussants at a Berlin-Brandenburg Synod broached the subject of the G.D.R. State Security Service's role in supervising believers. One minister explained that young church members were summoned from their homes to answer questions on their congregations' activities. Other church members reported that they were subject to obvious and unceasing surveillance.³

The regime's relationship with minority and unofficial churches in the German Democratic Republic has sometimes been rocky, but nevertheless subject to compromise in favor of those churches' activities in their communities. Relations between the state and the Catholic Church, for instance, often have been strained. Since the inception of the German Democratic Republic, the Catholic Church has sought to avoid engagement with secular authorities over political issues, confining its negotiations with the Government to narrowly defined issues of believers' rights, such as religious education. By following such a policy of restricted relations with the regime, the church avoided legitimizing the regime but also forfeited any opportunity to make a positive difference for citizens of the German Democratic Republic.

In January 1983, Catholic bishops in the German Democratic Republic joined the Evangelical Church for the first time in opposing militarism in the German Democratic Republic and had a pastoral letter on this theme read to every Catholic congregation in the country.⁴ In the fall of 1984, Cardinal Meissner, the head of the Roman Catholic Church in East Germany, met with Klaus Gysi, the Minister for Religious Affairs, and expressed his displeasure that students in the country are being compelled to undertake a form of military preparation before conscription. He also sharply criticized the authorities' attitude towards school pupils who are believers.

The Jehovah's Witnesses have been banned in the German Democratic Republic since 1950. However, an estimated 28,000 Witnesses continue to practice their religion there. The authorities do not search them out for special persecution, but they are prosecuted for their categorical refusal to serve in the military with the customary 18-month imprisonment.

The Christian Science Church has been banned in the German Democratic Republic since 1951, due in part to its refusal to submit membership lists to the state and to its members' refusal of medical care. However, here too, the state and the small church have

^{3 4} See footnotes on p. 232.

found room for accommodation. In December 1984, state officials met with Christian Scientists and arranged the importation of some church literature from abroad. Recently state authorities granted permission for some new Christian Science churches to be built.

The German Democratic Republic's smallest religious group is the 450-member Jewish community. The leadership of the G.D.R. central Jewish body, the Federation of East German Jewish Congregations, is unquestioningly loyal to the regime and there are no public conflicts between the Jewish community and the state. While East German Jews, two-thirds of whom are over 60 years of age, are well cared for physically, spiritually they are starved. There has been no rabbi or cantor in the German Democratic Republic since 1969, and the community must send to Hungary or the Federal Republic for officiants at High Holiday services, funerals and other religious rituals. Recently, an American Jewish organization received official encouragement to arrange for a permanently stationed rabbi in East Berlin.

THE PEACE MOVEMENT

The early 1980's saw the emergence in the German Democratic Republic of a broad-based and outspoken peace movement which threatened to overshadow and show up the regime's own peace propaganda. The G.D.R. regime had long sought to convince its population and the world of the inseparable link between socialism and peace, but belied this connection by instituting ever more militaristic policies.

The growing militarization of G.D.R. society was manifest during the period in review in an increasing emphasis on military values and hatred of the enemy in schools, and the codification of state regulations defining military service requirements. From kindergarten, where children are encouraged to play with toy weapons, through secondary schools and university, where students learn to use hand grenades and rifles, into adulthood, when citizens are obliged to participate in civil defense exercises, the G.D.R. population is prepared continually for war. In March 1982, the regime promulgated a law requiring all institutions, enterprises and organizations to prepare citizens for military service, and making women between 18 and 50 years of age eligible for call-up in emergencies. These developments, together with the estimated 1,200,000 soldiers in the German Democratic Republic, the increasingly sharp rhetoric between East and West, and the threat of missile deployment, alarmed G.D.R. citizens and spurred them to take up the cause of peace.

The existence and outspokenness of the independent peace movement in the German Democratic Republic is difficult to understand without taking into account the special place of the "Church in Socialism" in the German Democratic Republic. In fact, most likely it would not have survived as long as it has without the support of the Evangelical Church. The church has affected the peace movement in three ways: by providing a source of information and analysis independent of the state, by intervening actively on behalf of peace activists being prosecuted by the authorities, and by refrain-

ing from questioning the regime's commitment to peace and arms control. It also has pursued dialogue with both the state and independent activists on peace issues.

The broad-based, independent peace movement originated in the German Democratic Republic largely in response to the increasing militarization of G.D.R. society discussed above and, to a lesser degree, to the large West German peace demonstrations of 1982 and 1983. During the 1970's the Evangelical Church had made some representations against the growing militarism of East German society. Since 1978, when compulsory defense studies were introduced into secondary schools, the Evangelical Church has been in the forefront of protests to the state about the disturbing militaristic trend in G.D.R. society. The Catholic Church joined in these protests in 1983.

Numerous church-connected and completely independent peace groups and movements emerged in the German Democratic Republic, beginning in 1981. In that year, the East German Evangelical Church adopted the Biblical slogan, "Swords into Ploughshares," which ironically echoed the slogan of a sculpture that the U.S.S.R. had presented to the United Nations. Authorities interrogated and harassed peace activists who wore badges with this slogan, sometimes ripping them off their clothing or threatening the activists with job demotions. In March 1982, the badges were banned.

The 100-member Women for Peace group was founded in 1982. In 1985 Women for Peace members Baerbel Bohley and Ulrike Poppe served about 1 year in prison before being released as a result of a hunger-strike. They had been arrested in December 1983 in part for maintaining contact with acquaintances in the West.

In 1981, the church approached state officials proposing modification of the construction unit service—in which those who do not want to carry arms can join a military building brigade—into a "social peace service," along the lines of the West German alternative service. Such a service would be purely civilian, limited to work in hospitals, geriatric homes, nursery schools and the like. The church has had little success in pressing the issues of militarism and a "social peace service," but nevertheless has kept the state involved in a lively debate as well as a constant struggle to explain away the militaristic overtones of the supposedly peace-loving German Democratic Republic.

The church provides a shelter for would-be peace activists who would be too exposed to state persecution without some sort of institutional shield. While the church's membership has been declining steadily, it is attracting ever increasing interest and participation from East German youth. Its role in the peace campaign may be attributable to this trend.

Despite the protection the church can provide, some East German churchpeople have been and continue to be prosecuted for their peace activism. Church leaders have been warned by authorities to restrain activist pastors and laity. In 1983, Evangelical deacon Lothar Rochau, who had counseled young men on how to take on construction work as an alternative to military service, was sentenced to 3 years imprisonment for anti-state behavior. In 1984, four members of a church-connected peace group in Gera

were sentenced to prison terms under paragraph 218 of the Criminal Code (which prohibits "organizing to pursue illegal aims").

More often, it is the peace activists without church ties or protection who are prosecuted and isolated from G.D.R. society. Reportedly, in late 1983 25 peace activists from Jena, the most militantly peace-activist oriented town in the German Democratic Republic, either were expelled from or emigrated from the German Democratic Republic. The Jena group had disassociated itself from the church, which some of its members accused of complicity with the regime's repression of peace activities through silence, and thus exposed itself to the state's retribution. In December 1982 and January 1983, 17 Jena activists had been arrested after they had tried to hold a "moment of silence for peace" on Christmas Eve; they were released in early 1983 under international pressure. In March of the same year several Jena peace activists infiltrated an officially sponsored peace demonstration and passively resisted police attempts to remove them and their signs. The emigration of many of the Jena peace activists to the Federal Republic from 1983 on led to sharply decreased activism in that city and effectively defused a potentially explosive falling-out between peace activists and the church.

In other instances, peace activists have been detained before engaging in any demonstration. In October 1983, 100 peace activists were detained to prevent them from holding a demonstration in Berlin. In November 1983, during the annual Peace Week for Lutheran Churches in both East and West Germany, about 300 peace activists were held in 24-hour preventive detention to prevent a planned demonstration in protest of nuclear weapon deployment. The G.D.R. peace activists were to be joined by Western friends to petition both the American and Soviet Embassies, calling for no new deployment of nuclear weapons. About 30 East Germans, together with West German Green Party and Dutch IKV (Inter-Church Peace Council) representatives, held a demonstration in East Berlin, but were arrested immediately. Two days after the demonstration, Evangelical Bishop Forck delivered the petitions to the Embassies. Aside from protection of individual activists and church-initiated dialogue with the state on peace issues, this was the first time the church publicly had supported such a mass action for peace.

The church's calls for alternative service were accompanied by increasing numbers of male citizens throughout the period under review who resisted military service. All male citizens of the German Democratic Republic aged 18 to 24 are subject to call-up for 18 months of military service. Beyond this, however, military drafters have pressured men into signing up for longer terms of military service. An estimated 1,000 East Germans refused active service in the army each year from 1983 through 1985, which was an increase from the estimated average of 250 to 700 per year during the 1970's. Many of these conscientious objectors are Mennonites, who refuse to perform any military service whatsoever.⁵

⁵ See footnote on p. 232.

Growing numbers of conscripts insist on placement in the construction battalions, and the Government is placing more of them there or on waiting lists to enter the battalions.

In 1985, authorities refrained from punishing some peace activists who had collaborated with Czechoslovak dissidents in issuing a peace manifesto. Later in the year the same activists sent an open letter to President Honecker criticizing official youth policies and again were not prosecuted or otherwise punished. Another sign of a more lenient attitude toward peace activists came in November 1985, when authorities refrained from prosecuting a few conscientious objectors who had refused to serve in the military. The authorities' recent tolerance of some peace demonstrations may be a function of lessening independent activity resulting from both earlier persecution and discouragement over the 1983 deployment of Soviet missiles in the German Democratic Republic, decreasing Western media attention to both the Western- and Eastern-based peace movements, and the regime's growing confidence in its ability to co-opt the peace movement to serve the state's purposes.

ECONOMIC AND SOCIAL RIGHTS

In comparison with the populations of other East European countries, the G.D.R. population enjoys a high standard of living. However, there are serious shortages of housing, and occasionally of consumer goods. Also, in recent years concern has mounted over environmental deterioration in the German Democratic Republic. The population feels this threat most immediately in the impending shortage of potable water in that country. But environmental damage goes far beyond polluted waters to unregulated dumping sites, unacceptably high sulfur emissions and a sharp increase in environment-related health problems.

While the G.D.R. Constitution guarantees the freedom to form trade unions, in practice independent unions are banned. Like trade unions in other East European countries, the G.D.R. trade unions are manipulated by authorities to carry out official policy and to transmit party economic directives to workers. East German workers do not enjoy the right to strike.

Academic freedom is circumscribed severely in the German Democratic Republic. All scholarship must serve the cause of building socialism. The sole exception to this rule is theology, which remains in the control of the church.

ETHNIC RIGHTS

There are few reports of state-sponsored discrimination against the only substantial minority in the German Democratic Republic, the Lusatian Sorbs. Approximately 45,000 Sorbs make their home in the German Democratic Republic. The state provides instruction in the Sorbian language and culture in some schools. It also subsidizes a Sorbian-language theater. The great majority of Sorbs belong to the Roman Catholic Church, which recently initiated a new program for the Sorbian minority in the German Democratic Republic to provide religious materials in Sorbian.⁶

⁶ See footnote on p. 233.

INDEPENDENT POLITICAL ACTIVITY

Citizens who seek to participate independently in the political life of the German Democratic Republic suffer punishment ranging from interrogations to imprisonment to exile. The only lasting independent movements that have involved more than a handful of people and have not been crushed immediately by the regime have had close ties to the Evangelical Church.

The one exception to this pattern is the independent human rights group, *Menschenrechte DDR* ("Human Rights G.D.R.") which first emerged in early 1985. In January 1985, this group sent an open letter to Honecker on the occasion of the beginning of United Nations Youth Year. Like the Czechoslovak Charter 77, this group appended the addresses of three sponsoring activists to the letter: Ralf Hirsch, Peter Rolle and Peter Grimm. The letter called for freedom of expression, assembly and movement and freedom from religious and ideological discrimination.

Menschenrechte DDR issued several further letters, including a Petition for the World Festival of Youth in July 1985 and an appeal to the G.D.R. official peace council proclaiming solidarity with the unofficial Soviet Group to Establish Trust in September 1985. Another September 1985 document was devoted to freedom of movement. Its 17 signatories announced in that document, "It is unacceptable that we should receive our rights only as a favor granted to us, provided that we refrain from independent political activity." Thus they reject any trade-off of one right for another. To date the G.D.R. authorities have not taken any action against the members of *Menschenrechte DDR*.⁷

In recent years an independent environmental movement has emerged in the German Democratic Republic. Like the independent peace movement, it has found partial refuge in the Evangelical Church, which provides some information on environmental conditions in the country and has initiated "auto-free Sundays," ecologically-oriented church services and landscaping activities.

The authorities have treated independent environmental activists harshly. In 1985, environmentalist Udo Zeitz was sentenced to 3½ years in prison for "defamation of the German Democratic Republic" after protesting official G.D.R. environmental policies and the authorities' refusal to let him and his family emigrate to the West. Prior to applying to emigrate, Zeitz had sought to form an independent environmental advocacy group, "Progress," in the German Democratic Republic. Zeitz's daughter reportedly had suffered ill health from chemical spraying in the German Democratic Republic.

THE GERMAN DEMOCRATIC REPUBLIC AND THE CSCE PROCESS

The German Democratic Republic took four steps after the conclusion of the Madrid Conference to manifest its intention to fulfill commitments made at that Conference. First, it published the entire text of the Madrid Concluding Document in the official legal gazette and the party newspaper, *Neues Deutschland*. In September

⁷ See footnote on p. 233.

1983, it published a new law creating an office of foreign cultural centers to oversee the German Democratic Republic's participation in exchanges. Later that month the regime modified its mandatory minimum currency exchange requirement by exempting children up to the age of 14. Still later in September, it issued a new ordinance slightly liberalizing official policy on permanent family reunification and binational marriages.

The G.D.R. regime has learned to use emigration to its advantage, exiling those who challenge the system. And it has learned how to coexist with an independent church which knows the limits on its participation in the life of the state. But it has not learned to react to independent activity among citizens with anything but persecution. This remains the area in which the G.D.R. regime best demonstrates that it complies neither with the letter or the spirit of Helsinki.

HUNGARY

INTRODUCTION

While it does not allow full freedom of political, religious and social expression, Hungary continues to have a relatively positive record in the implementation of Principle VII. Hungarian citizens are given opportunities for travel abroad, including to the West, and enjoy certain benefits from the economic decentralization which has taken place. Within certain bounds, they can voice constructive criticism. Writers and artists have gained more latitude in their work, and religious denominations generally have access to Bibles and other religious materials.

At the same time, these positive aspects of Hungary's compliance with the human rights provisions of the Final Act and the Madrid Concluding Document are treated by the Hungarian Government more as benefits to be granted or taken away than as rights to be protected. In addition, they have come at a certain price. Participation in the political process can take place only under the terms set by the Hungarian Socialist Workers Party (HSWP). Any direct challenge to the regime, particularly in the form of questioning the legitimacy or the authority of the HSWP or the Soviet presence in Hungary, is not tolerated. And the expression of religious belief or of views bordering on the unacceptable may limit an individual's advancement in government, industry and the professions.

Generally, the Hungarian population is reluctant to seriously and openly oppose the basic premises of the political system itself. The trauma caused by the 1956 Revolution and the crackdown in the years which immediately followed still have a strong effect on Hungarian society. As the situation improved in the 1970's, a form of self-censorship developed so as not to risk losing what liberalization had taken place. Given this largely passive, apolitical attitude, the Hungarian Government does not feel the need to resort to blatant forms of repression in the face of oppositionist opinion. Instead, more subtle measures are employed to counter dissent, such as denial of permission to travel abroad, periodic house searches, detention, fines and employment difficulties.

Despite a relative tolerance on the part of the Hungarian authorities, the situation has worsened since late 1982 due to a crack-down on the activities of dissident intellectuals. These individuals, who engage primarily in independent, *samizdat*, publishing, have become increasingly active since the late 1970's in exercising the rights guaranteed them in the Helsinki Final Act. The authorities have responded with stepped-up measures, usually the ones mentioned above but also more blatant forms of repression, including a police beating of one individual who was then tried for assaulting the officers responsible (the first trial of a dissident in Hungary in over 10 years), a form of house arrest for another individual, and periods of general harassment for others.

While individuals generally are allowed freedom of religious expression, conscientious objectors to military service continue to be imprisoned, and those who openly oppose close cooperation between the church hierarchy and the state occasionally are harassed by authorities.

CIVIL AND POLITICAL RIGHTS

While the Hungarian Government's performance concerning respect for civil and political rights continues to be positive relative to the other East European states and the Soviet Union, the ability to exercise these rights is qualified by article 54 of the Hungarian Constitution which provides that the rights of Hungarian citizens are to be exercised "in accordance with the interest of Socialist society."

The most visible actions taken by the Hungarian Government in violation of its Principle VII commitments are those against dissident intellectuals, most of whom live in Budapest. These individuals usually are harassed through intimidation and administrative measures. For lesser known individuals, however, especially those who live outside Budapest, it is possible that the harassment may be more severe. For example, an article in the February 1984 edition of *Magyar Jog* (Hungarian Law) by Dr. Lajos Kovacs, a professor at the Hungarian Police Officers Academy, claims that about 50 citizens are convicted annually for "incitement and harming the public interest," a charge which is often used to encompass political offenses. In examining 420 cases involving 570 accused offenders, the "crimes" included "a need to disseminate views," "wishing to protest certain measures," "criticism," and "spreading the broadcasts of RFE (Radio Free Europe)."

The Opposition. There is a group of dissidents in Hungary who refer to themselves as the "democratic opposition" and who have been increasingly active in recent years. This is not a formal group, and its members represent a broad spectrum of thought. The principal activity of the individuals involved is the publishing of *samizdat* journals and books. In this regard, they claim to represent a "second public opinion" by presenting alternative thoughts on, as well as possible solutions to, issues such as human rights and the quality of life in Hungary, environmental issues, the plight of the Hungarian minorities in neighboring Romania and Czechoslovakia, the 1956 Revolution and its official treatment, and events in Poland.

Originally, the unofficially-published material was represented by a small number of typewritten manuscripts which were circulated discretely among a limited number of trusted friends and acquaintances. The early 1980's witnessed the development of *samizdat* publishing into a few fairly well-established publishing houses, the most well known of which is AB Independent Publishers. The unofficial publishers have published several dozen officially-banned books from the West, such as works by George Orwell and Arthur Koestler, as well as specific works by Hungarian poets, novelists and other writers banned from official publication.

In 1981, several new *samizdat* journals appeared, including *Magyar Fiegyelo* (Hungarian Observer) and *Kisugo* ("Outformer," as opposed to "Informer"). In October 1981, the journal *Beszelo* (Speaker, or Prison Visit, connoting free speech in a place where free speech is forbidden) appeared in 1,000 copies, 2,000 copies for some later issues. It has become the most popular and sophisticated of the journals. To make this increasing amount of *samizdat* available to anyone interested and not afraid to obtain it, an independent bookshop, the "Samizdat Boutique," was opened in February 1981 in the downtown apartment of Laszlo Rajk. Rajk, a well-known member of the democratic opposition, reported that approximately 150 to 200 people visited the "Boutique." The increased number of *samizdat* material and the improved means for which it was disseminated led to a considerable increase in readership of many thousands.

Throughout 1982, there appeared several signs that the Hungarian Government would not tolerate the increasingly open activities of the democratic opposition. In June 1982, several members of the democratic opposition—the founders of AB Independent Publishers, Gabor Demszky and Jeno Nagy; two *Beszelo* editors, Ferenc Koszeg, and Janos Kis; and Andras Nagy—were subjected to continuous police surveillance. They were harassed to such a degree that 20 leading Hungarian intellectuals felt it necessary to send a petition to the Procurator General of Hungary, stating that "whatever opinion the persons mentioned above may hold, they have been subjected to ill-treatment for expressing their belief in the values of opinion and freedom of speech. . . . We respectfully request the Procurator General . . . to enforce the principles laid down in the Constitution of the Hungarian People's Republic, and not allow the repetition of such incidents to produce fear and anxiety among the public." Later that summer the harassment ceased, although in August Gabor Demszky was fined 4,000 forints for operating the publishing house without official permission.¹

Several warnings to the democratic opposition soon followed. On October 8, 1982, Istvan Horvath, Hungarian Interior Minister, delivered a speech to the Hungarian Parliament, in which he distinguished between the misled but well-intentioned critics who could be convinced by further discussion, and the committed opponents of the regime, against whom the state could and might have to take action. A more ominous attack came on December 11, 1982, in the leading HSWP newspaper *Nepszabadsag*, which contained an arti-

¹ See footnote on p. 233.

cle entitled "The Game is Not Played for Peanuts." Written by Peter Renyi, the paper's deputy chief editor, the article alleged that the opposition was serving, whether intentionally or not, the interests of the "imperialist headquarters" in the West, whose strategy is to "support destructive dissident groups that disseminate bourgeois nationalism and the ideals of the capitalist world within the Socialist camp."

Three days later, on Tuesday, December 14, just before Laszlo Rajk's "Samizdat Boutique" was to open, several policemen entered the apartment and searched it, taking duplicating equipment and all the *samizdat* they could find. Reportedly, the material confiscated filled two minibuses and one car. The homes of five other dissidents were entered and searched as well, and the total value of the material seized was estimated as nearly one-half million forints. The six—Rajk, Demszky, Geza Buda, Istvan Csorba, *Beszelo* editor Balint Nagy and Miklos Sulyok—were detained for questioning. All were released the following morning, and no charges were brought against them.

One week later, on December 21, the police entered the apartment just as the boutique was about to open and, while not detaining anyone, again confiscated all materials found. The next week, on December 28, the police did not enter the apartment but took the names of those who did, some of whom were questioned later by the police. Then, on January 15, 1983, the authorities notified Rajk that he must vacate the apartment in the center of Budapest, which he had inherited from his mother. He was evicted on January 25, reportedly with the assistance of several police officers. He was able to set up the boutique in his own apartment in the outskirts of the city. Although it was harder to reach, Rajk advertised the new location in an issue of *Beszelo*, providing detailed information on how to get there by streetcar. Meetings of the democratic opposition continued, despite continual police surveillance.

The harassment continued throughout the spring and summer of 1983. On March 29, police entered and searched the apartments of six dissidents—Rajk, Demszky, *Beszelo* editors Miklos Haraszti, Ferenc Koszeg, Jenő Nagy and Ottilia Solt (founder of SZETA, an organization created to assist the poor). All but Rajk were charged with violation of the press law prohibiting the publication and dissemination of unauthorized material; the charges were dropped in May. In another incident, Rajk and Demszky were stopped by police on April 7 for a traffic check. When they were told to open their bags and refused, the police drew their guns, ordered them to drop their bags and put their hands on their heads, and took them away for questioning until the early morning of April 8. By May 1, the harassment of the declining number of visitors became so great that Rajk decided to close the "Samizdat Boutique."²

On September 1, 1983, a new decree was adopted which permits the imposition of fines independent of and without appeal to the court system against those engaged in unauthorized publishing activity. The change also increased the maximum fine for violation of this press law from 3,000 to 10,000 forints. In that this is the law

² See footnote on p. 233.

most often used against independent publishers, these changes signalled that more official actions against the democratic opposition could be expected.

On September 24, 1983, less than one month after the close of the Madrid CSCE Follow-up Meeting and a few days after U.S. Vice President George Bush visited Hungary, Gabor Demszky, co-founder of AB Independent Publishers, was stopped by police. He objected when the police began a search of his car without a warrant. When his personal papers were taken (no *samizdat* material was found) and he sought to regain them, an ensuing argument developed into a scuffle resulting in Demszky being so badly beaten with rubber truncheons that he was hospitalized for 3 days with a head concussion. Rajk and two other members of the opposition wrote a letter to the Hungarian chief prosecutor shortly thereafter, calling for an investigation of the incident.

Action against Demszky escalated further on December 21, 1983, when he was put on trial for assaulting the police officers who had beaten him. This was the first time that a dissident had been put on trial in Hungary in 10 years. When more than 100 supporters filled the courtroom, the judge moved the trial to another room which was reportedly sealed-off by police with billy-clubs. Attendance was limited to those with official invitations. Observers from certain human rights organizations and the U.S. Embassy were denied permission to attend. Demszky received a 6-month sentence, suspended for 3 years. Demszky's appeal of the sentence was rejected on May 22, 1984.

Although those active in *samizdat* writing and publishing generally receive permission to travel abroad, the Hungarian Government has on occasion denied such permission to certain individuals because of their activities. In one instance it made such travel conditional on not returning to Hungary. In July 1984, Gaspar Miklos Tamas, a member of the opposition who has been particularly active on the issue of the Hungarian minority in Romania (where he was born), was denied permission to study at Columbia University in New York unless he agreed to accept emigration papers that would prohibit his return following study abroad. In October 1984, the passport of political essayist Pal Szalai was taken away after he attempted to travel to Poland.

Another individual continually denied permission to travel abroad was Gyorgy Krasso, a retired economist who, due to activities in 1956 for which he spent 7 years in jail, has become somewhat of a historian and symbol of the attempted revolution. He repeatedly tried to visit his brother in the United Kingdom but was refused. When he attempted to visit Poland, he was stopped at the border and denied permission to travel to any of the Socialist countries as well.

On June 8, 1984, Gyorgy Krasso was questioned by police for 9 hours in connection with an interview he gave to the *samizdat* journal *Hirmondo* in December 1983, republished in the summer 1984 edition of the British journal *Survey*, on the trial and execution of Imre Nagy, Pal Maleter and other leaders of Hungary in 1956. No charges were made against him, but he was given a police reprimand. Then, on October 18, Krasso was detained and his apartment raided. After *samizdat* material was found and confis-

cated, he was fined the full 10,000 forints for violation of the press law. In the ensuing 2 weeks, five other dissident intellectuals had their apartments raided and were given fines ranging from 5,000 to 9,000 forints.

Actions against Gyorgy Krasso grew more severe on November 22, 1984, the same week that the preparatory meeting for the CSCE Cultural Forum convened. Krasso was given a police surveillance order, a form of house arrest which no court can overturn, pursuant to which he was required to report to the police once a week and forbidden to leave his apartment between 8:00 p.m. and 6:00 a.m. In reaction to these restrictions, 12 dissident intellectuals presented a letter of protest to the delegations at the Cultural Forum preparatory meeting, asking them to "consider this case before reaching any conclusion concerning the state of civil liberties in Hungary." The following month over 300 Hungarians signed a protest of the police order on Krasso. Following his return from the hospital in early 1985 after suffering a heart attack, he continued to be under continual surveillance, with police entering his apartment and taking the names of all visitors.³

A number of police searches also took place in late 1984 and early 1985. In January 1985, for example, a police raid outside Budapest resulted in the seizure of 1,000 copies of an edition of *Beszelo*, approximately 50 percent of the edition's run. In addition, a new legal provision (Decree 48/1984 [XI.21.]) in November 1984, gave the police authority to search an automobile or person without cause (previously they were permitted to ask for identity papers only). Apparently, this new law was in reaction to the incident involving Demszky in September 1983. Another new law in late 1984 (Decree 49/1984 [XI.21.]) required the registration of all duplicators and copiers, with the exception of typewriters. The registration and operation of the copiers have to be checked by the police.

In 1985, a new law (Decree 4/1985 [VII.20.]) came into effect which gave the head of police stations the power to apply coercive measures, such as police surveillance, expulsion or both against any Hungarian citizen or resident alien whose attitude imposes a permanent danger to the Hungarian People's Republic or to the public order or public security. The new law strengthened the terms of a police surveillance order, such as that placed on Krasso, from 1 to 2 years with the possibility of an additional extension of 1 year.

Also, on March 2, 1985, another official warning to the dissidents appeared in the leading party paper, *Nepszabadsag*. In an article entitled "Our Order and Our Policy," Interior Minister Istvan Horvath noted that the Hungarian Government was even willing to risk its liberal image in the West in order to keep the democratic opposition in check, stating: "whoever attempts to act against the country's domestic stability and the achievements of our social order has to realize that the authorities are never in 'recess' and their action is not determined by external impacts. Persons who violate public order will be made aware that they face a firm and

³ See footnote on p. 233.

resolute calling to account proportionate to the seriousness of the action."

Despite these ominous signs, Hungarian authorities appeared to loosen the reins on the democratic opposition as the Cultural Forum approached in late 1985. Harassment of individuals became less frequent. The police surveillance order on Gyorgy Krasso ended in October 1985, just before the convening of the CSCE Cultural Forum. Near the end of the Forum, after years of continual denials, he was permitted to leave Hungary when his brother, who lived in the United Kingdom, was critically injured in a fire that later proved fatal. Krasso has since decided to stay in the West. Many prominent dissident intellectuals who had also been previously denied permission to travel to the West were suddenly granted permission in late 1985 and early 1986, including Gaspar Miklos Tamas.

Other events, however, pointed to a return to tougher line. During the Forum, editor Lajos Jakab was fined 9,000 forints for possession of copies of a book on Soviet-style societies by democratic opposition members Janos Kis and Gyorgy Bence.

On January 16, 1986, police ransacked the home of Jenő Nagy, co-founder of AB Independent Publishers. A number of publications and manuscripts were confiscated following the 7-hour search. On February 26, he was fined for violation of the press law. Two days later he was found distributing copies of *Hirmondo* at the cafeteria of an indoor pool in Budapest. The police took the names of everyone involved, confiscated every copy of the *samizdat* publication, including the 20 copies still in Nagy's possession, and took him to a police station for further questioning. On March 14, the police returned to the pool cafeteria and searched four persons. While they found no *samizdat*, later that night the apartment of one of the four individuals was searched and *samizdat* was confiscated. Nagy's apartment was searched again on March 13 and yet again on April 1. Subsequent charges of violating the press law have resulted in additional heavy fines.

On March 3 and 11, police raided the apartment of Gyorgy Gado, who was fined 10,000 forints for violating the press law each time. Then, on April 1, along with the raid on Nagy's apartment, the police entered another apartment and found Miklos Sulyok and Istvan Csorba printing *samizdat*. All publications of the 16th issue of *Beszelo* as well as all printing and duplicating equipment were confiscated. Csorba and Sulyok were both fined for violation of the press law. Later that day Sulyok was further harassed by police in downtown Budapest.⁴

On March 20, 1986, the Hungarian National Assembly passed a new press law which came into effect on September 1. The law, represents the first comprehensive statutory treatment of matters relating to press for Hungary under Communist rule. Sections of the new law state the need for governmental approval in order to publish, and reinforce the arbitrary right of the police to confiscate unofficial material and to fine those who possess such material.

⁴ See footnote on p. 233.

It is unclear what net effect these actions against the democratic opposition has had on their activities. Despite the continuous harassment, independent publishing has continued. For example, for much of 1983 and 1984, *Beszelo* disappeared. *Tajekosztato* (The Guide) filled the gap for a brief period until it too was stopped. It reappeared in late 1983 under the name *Hirmondo* (The Messenger). In June 1984, *Beszelo* reappeared.

The distribution of *samizdat*, if it has not contracted, has at least become more discrete. With the closing of Rajk's "Samizdat Boutique" in 1983 there was no longer any central location where *samizdat* could be obtained. In addition, the perception created by the treatment of the opposition—that the legal safeguards of individual rights and freedoms are vague, fragile and subject to a changing political climate—probably has increased the hesitancy of some people outside of the opposition to risk the loss of what benefits they have gained over the years in order to assert more fully their rights.

Actions Against Other Individuals. The Hungarian Government has also taken action against other individuals, primarily writers, for going beyond the bounds of what is officially acceptable. Although selective and, at times, censored works of some of these individuals appear in official publications, authors often publish their works uncensored in *samizdat*. The state also targets any individuals employed on the editorial boards of official publications who, in the eyes of the central authorities, do not demonstrate adequate "vigilance" over their publications.

An example of actions taken against these individuals occurred in June 1983. Sandor Csoori, a poet and essayist, wrote a preface to a book entitled *Kutyaszorito* ("Up Against the Wall" or "Cornered"), which was written by the Hungarian minority activist in Czechoslovakia, Mikos Duray, and published in the United States. For writing this preface, Csoori was criticized in the weekly paper of the Hungarian Writers Association and put on a "consultation list" that effectively barred him from publication for a full year. He was also prohibited from travelling abroad.

Refusing to approve the sanction on Csoori, noted Hungarian writer and playwright Istvan Csurka resigned from the Presidium of the Writers Association and ended his membership in that organization. In July 1986, the authorities banned Csurka's work indefinitely from publication in Hungary. The grounds for this action by the authorities was that, during his travel through the United States, Canada and the Federal Republic of Germany in the spring of 1986, he published essays in New York and gave lectures and statements, one of which was broadcast over Radio Free Europe.⁵

Another incident involved Gaspar Nagy, also an officer of the Writers Association. In March 1985, central authorities insisted that he resign, from the Association for a poem he wrote concerning the execution of Imre Nagy, leader of the Government during the 1956 Revolution. A stormy debate followed as Nagy, at first, refused to resign and the President and Executive Secretary of the Association, Miklos Hubay and Miklos Jovanovics, respectively,

⁵ See footnote on p. 233.

both submitted their resignations. The HSWP officials refused to accept their resignations, and eventually Nagy did resign. The Deputy Minister of Culture at the time, Deszo Toth, explained that Nagy's resignation was necessary because the authorities "were worried about the international repercussions. . . . The estimation and standing of the union among our neighbors would have suffered if Nagy remained."

On November 27, 1985, barely 2 days after the Cultural Forum closed in Budapest, Sandor Leszak was accused of "counter-revolutionary activities" and dismissed as the director of the cultural center in the village of Lakitelek. The reason for his dismissal was that he organized an unofficial poetry gathering and exhibition on graphic art on October 22, while the Forum was underway.

Occasionally, even official literary journals can exceed the bounds of the party's guidelines. On October 15, 1982, the representatives from publishing houses and cultural centers were summoned to a "political guidance" briefing session with government and party representatives on cultural affairs, at which the editors of the journals *Mozgo Vilag* (The World in Motion) and *Tiszataj* (Tisza Panorama) were told to resign because both had published articles on the plight of the Hungarian minority in Romania. The editors refused to resign.

Approximately 1 year later, in September 1983, the editor of *Mozgo Vilag*, Ferenc Kulin, was fired on grounds that he had pursued an editorial policy that did not adequately represent Marxist views and presented an "erroneous interpretation of the situation." The reason for the dismissal was the publication in the September issue of *Mozgo Vilag* of an article on Hungary's unprepared Second Army on the Don River in the winter of 1942-43, including pictures depicting the suffering during the winter fighting and letters from the front by Hungarian soldiers. (A television series on the same subject was suddenly suspended earlier in the year.) In protest of Kulin's removal, the entire editorial board of the journal resigned, and the Attila Jozsef Circle (which in the summer of 1981 succeeded the Young Writers' Attila Jozsef Circle dissolved by the authorities in March of that year) approved a resolution protesting the action taken against Kulin, as well as that taken against Csoori earlier in the year. Protests also came from students of several Hungarian universities as well as from members of the democratic opposition.⁶

Despite the difficulty the authorities had in finding a replacement for Kulin, publication of *Mozgo Vilag* continued. The journal again experienced problems with the authorities in August 1984, when the latest issue of the journal was ordered destroyed because it contained reprints of some material written by Leon Trotsky. The August issue reappeared in mid-September 1984 after the Trotsky material was removed.

More recently, *Tiszataj* was closed down completely in July 1986 because of "political errors." The last issue of the journal contained another poem by Gaspar Nagy on the events of 1956, as well as other material not acceptable to the authorities.

⁶ See footnote on p. 233.

Independent Groups and Organizations. Although the Constitution provides for freedom of assembly and the right to form associations, Government approval or tacit acceptance is required for the exercise of these rights. A case in point is the autonomous "Peace Group for Dialogue." Created in 1982 by students, recent graduates, artists and working people, Dialogue was tolerated initially. It organized a number of events: participation in an official peace march (some 450 Dialogue members participated), several public meetings, a lecture by Western activist leaders, and a three-way dialogue among independent and official peace group members and foreign disarmament activists.

Beginning in April 1983, however, the Hungarian authorities began to intimidate the group. Members were prevented from attending an international peace conference in West Berlin in May 1983 and were forced to leave the youth village during the Prague Peace Assembly in June 1983. In July 1983, the Government suddenly cancelled cooperation efforts between Dialogue and the official Peace Council. When 15 pacifists from Western Europe and the United States met with 20 members of Dialogue later that month, the Dialogue members were detained by the police for several hours and warned that they were taking part in anti-state activities. The 15 Western pacifists were expelled. Dialogue was told to cease its contacts with foreigners, and one of the founders was summoned to the Interior Ministry to be questioned on why his organization opposed the Hungarian Government. The membership in Dialogue dropped by several hundred to about 50 members, and, in late July 1983, the remaining members of Dialogue decided to dissolve the group and join the Peace Council. While internal disagreements played a role in the dissolution, the harassment the group received from the authorities exacerbated the internal problems and ensured that Dialogue would never play any significant role.

What remains of the independent peace movement includes small peace "clubs" and groups of former members of Dialogue, and some religious leaders who encourage conscientious objection to military service. A number of individuals in peace groups have been detained, harassed, and warned of press law violations. Other than these groups and few independent peace activities continue in Hungary, and those that do are loosely organized.⁷

Rock groups have been harassed on occasion as well. On May 23, 1984, in the town of Szeged, three members of the Coitus punk rock group, all in their early twenties, received 2-year sentences and one underaged member received a 2-year suspended sentence for "incitement against the constitutional order of the Hungarian Peoples Republic and against its international alliance, friendship and cooperation agreements . . . rooted in nihilism and anarchism or, in other words, the desire to create hatred." The sentences were in reaction to lyrics which were critical of Hungarian society and, in songs such as the one entitled "SS-20," which inferred that the Soviet Union was at least equally to blame for the arms race. In December 1984, members of the punk group Public Enemy were

⁷ See footnote on p. 233.

also given 2-year sentences for lyrics critical of communism, even though witnesses stated that the lyrics were in mock English and could not be understood.

Other organized artistic activity has been the target of state harassment. The Club of Young Artists has had material confiscated by the authorities and, on January 30, 1984, its art exhibit in Budapest, entitled "Hungary Can Be Yours," was closed. Tamas Molnar, a founding member of club, has been harassed by the authorities on other occasions.

Several intellectuals, many of them members of the democratic opposition, formed in December 1979 a group called the Foundation for the Assistance of the Poor, more commonly known by its Hungarian acronym, SZETA. The stated purpose of the group is to raise money and provide financial, legal and other assistance for the poor within Hungarian society. Its activities included a 1981 summer camp for Polish children at Lake Balaton in Hungary. In 1983, the group collected the essays, poems and drawings of 37 writers and artists and compiled them into a *samizdat* volume, entitled *In the Dark*, the proceeds of which were donated to the poor. Some of the leaders of SZETA, such as Ottilia Solt and Gabor Demszky, have been the target of apartment searches and other forms of harassment for their activities. While the organization has continued with its works, it has done so more discretely than previously. In November 1984, a group of individuals, including many from SZETA, were not permitted to hold a roundtable meeting on income differentials in Hungary.

Environmental issues have evoked much concern in Eastern Europe and Hungary is no exception. The independent ecological group Duna Kor (Danube Circle) was formed in 1984. On February 8, 1986, the group planned an "environmental walk" from Batthany Square in Buda to Margit Island in a display of opposition to the construction of the joint Hungarian-Czechoslovak Gabčíkovo-Nagymaros hydroelectric dam project on the Danube River. While the leaders of the group had cancelled the march the day before, under pressure from the authorities, about 80 people, primarily Austrians, either did not know that it was cancelled or simply decided to proceed with the march anyway. As the group proceeded toward Margit Island, the police moved in and dispersed the group, reportedly using truncheons on some individuals. One Austrian video camera operator was detained. When the Austrian participants said they would leave Hungary provided this individual was released, the authorities agreed to do so.

On March 15, 1986, the traditional holiday when Hungarians celebrate the 1848 revolution against Austria, police broke up unauthorized celebrations. Following an official celebration at the National Museum, a group reportedly numbering several thousand people walked to the statue of the hero of the revolution, the poet Petöfi, where patriotic songs were sung and poems read. One individual was known to have been detained by police as he attempted to join the crowd. A woman was also detained for much of the day after she attempted to collect money to pay a fine recently imposed on a *samizdat* publisher for violation of the press law. As the crowd moved to several locations in the city to protest the woman's detention, the police made several attempts to break up the crowd.

When a large number of the protesters staged a sit-down protest, the police dragged some away, confiscated the identity cards of others and detained one individual. Later that day, police took additional actions against the remainder of the group, some 700 people, when they attempted to cross the Chain Bridge to go to another location in Budapest. It has been reported that eleven people were detained, four of which were fined for "disturbing the peace."

In October 1985, the International Helsinki Federation for Human Rights sought to hold an independent cultural symposium parallel to the CSCE Cultural Forum in a public hotel room. Authorities refused to permit the Federation to meet with writers in the hotel room. The Hungarian Government reneged on a commitment it undertook during the 1980-83 Madrid CSCE Review Meeting to observe the Madrid precedent for treatment of nongovernmental groups and individuals during the Cultural Forum. However, due to the tenacity of the participants, which included nongovernmental organizations from the West and Hungarian intellectuals, they were allowed to meet in a private apartment.

The New Election Law. A new election law (Law III/1983) was announced in 1983 and first implemented in 1985, which mandates multiple candidacies in every one of 352 parliamentary seats (about 35 seats were to be left unopposed for senior officials) as well as in the approximately 45,000 local government seats. Although candidates are not required to be members of the Communist Party, they are required to accept the platform of the party-controlled Patriotic People's Front.

Despite the promises held out by the new election law, certain members of the democratic opposition were effectively barred from participation in the nominating process. On April 18, when the first step of the procedure to nominate at least two candidates for each office began, about 40 percent of the 200 people present at one Budapest district voted for the nomination of democratic opposition member Laszlo Rajk. At the second meeting for nominations on April 22, the party filled the same district meeting hall to full capacity with party loyalists 2 hours ahead of time, reportedly increasing attendance at the meeting by more than three times. Rajk, who stated that he had accepted the platform of the Patriotic Peoples Front, spoke out on issues such as conscientious objection to military service, Hungarian minorities in other states, and the environment. He and his supporters received mostly jeers, which made the whole affair rather tense. In the end, Rajk received 27 percent of the vote, short of that needed to be officially nominated. This result led one individual to note that the "new electoral law allows candidates to run, and lose."

Another democratic opposition member, Gaspar Miklos Tamas, was not successful in obtaining the necessary one-third of the votes in the first meeting but nevertheless had the opportunity to speak in the presence of a rather prominent candidate, Foreign Minister Peter Varkonyi, on the Hungarian minority problem in Romania and Czechoslovakia and the proposed construction of the Gabcikovo-Nagymaros Dam.

While not actually members of the opposition group, other individual citizens critical of official policies such as economist Tamas Bauer were able to take advantage of the election process. Thus

though the candidates were restricted and most have not been successful in getting elected, a legal platform, however limited, for the expression of other than official points of view has been provided. As Tamas concluded of the election: "Hundreds of thousands of people for the first time in their lives participated in a political something. It's not genuine politics but it's something."

RELIGIOUS RIGHTS

The right of the individual to freedom of religion, conscience or belief is restricted in Hungary. There is, on the surface, good relations between the state authorities and the leaders of the 19 recognized religious denominations. The official line accepts believers and nonbelievers working together in the interests of "Socialist society," and the state attempts to utilize the church as a "transmission belt" in dealing with social problems such as alcoholism, divorce and juvenile delinquency. In practice, the Hungarian churches, unlike those in other East bloc countries, do not serve as centers for dissent. They accept a limited role and accommodate the state in the hope of gaining and maintaining certain religious freedoms. This approach is most visible in the Hungarian Roman Catholic Church's "small steps" policy, initiated by the late Primate of Hungary, Cardinal Laszlo Lekai.

For the unrecognized faiths, there are, on occasion, additional difficulties. In May 1986, plainclothed police broke-up a worship service of the 30-member congregation of the Faith Christian Fellowship in the town of Zalaegerszeg.

Professing religious beliefs can limit a person's advancement in government and in high-level positions generally. In addition, the number of church-sponsored schools and the hours of religious instruction for young people are restricted. In recent years, however, these restrictions may have become slightly less severe in certain instances, reflected by an agreement with the Catholic Church in late 1985 permitting laymen to teach catechism in church buildings and to assist priests in parish works (An earlier understanding that trained laymen could teach catechism in Hungarian schools was rescinded by the authorities.).

Access to Bibles and other religious material, as well as contacts with co-religionists in other states, are relatively good. In recent years, there have been reports of additional publications of Bibles within Hungary. Bibles in Hungarian braille are also available. Some established faiths publish their own periodicals and newspapers, although such material is subject to the same censorship as are other publications. In late 1984, however, it was reported that government officials reduced the circulation of the Catholic weekly, *Uj Ember* (New Person), by about 10 percent.

Among the positive developments in recent years is the establishment by the Catholic Church of a Jesuit-staffed center for meditation, the first Jesuit facility in Hungary since the order was officially prohibited by the Government in 1950. In early 1986, Cardinal Laszlo Lekai announced that a new order of sisters would be established in Hungary to engage in social work such as caring for the elderly or working with the youth. Hungary is also home to the only rabbinical seminary in the East bloc.

In late July 1984, the World Lutheran Federation met in Budapest and elected Bishop Zoltan Kaldy its president. While the Federation generally seemed to view the situation of religious believers in Hungary to be good, some delegates have accused the Lutheran hierarchy of too close collaboration with the state.

Within the Roman Catholic Church, the largest of Hungary's faiths, there is a so-called "basic communities" movement which also charges that the church hierarchy is "collaborationist." The church hierarchy has not been supportive of this movement. While many sources quote the number of members of the basic communities at less than 10,000 (some Hungarian bishops have stated that there are only 2,000 to 4,000 people associated with the movement), others state that a large influx of young people have swelled the ranks to between 10,000 and 30,000. In June 1982, Cardinal Lekai and the Bench of Bishops denied the leader of a federation of basic communities, Father Gyorgy Bulanyi, the right to say Mass, preach, or administer the sacraments. Action was taken against several of his followers as well.

The actions by the church leaders in opposition to, rather than in support of, the basic community members has enabled the state authorities to take only limited action themselves. Nevertheless, on June 6, 1984, for example, Kathpress news agency reported that Hungarian police confiscated 119 volumes of a collection of prayers and theological writings by members of the basic communities and charged two individuals, Ignac Kiraly and Jozsef Merza, with violation of the press law.

Conscientious objectors, including those belonging to the basic communities movement, continue to be tried and sentenced for refusing to do military service, although some individuals who are members of certain smaller religious groups, such as the Nazarenes and Adventists, reportedly are offered alternative service. While the State Department reports that there are currently 10-15 individuals serving prison terms of 1 to 3 years in 1985, some sources claim the number to be significantly higher. One Catholic pacifist, in a letter to the Budapest Cultural Forum, claimed that there are as many as 150 pacifists in Hungarian prisons. It is believed that individuals from the Roman Catholic and other religions which do not explicitly forbid military service receive harsher treatment for seeking other than military service. There are also a few known cases of individuals serving in the military who have been punished for attending Mass by being placed in solitary confinement.

ETHNIC AND NATIONAL RIGHTS

As a general rule, ethnic and minority rights are not a significant problem in Hungary. Members of minorities such as Germans, Slovaks, and Serbs have full legal equality.

Representing as much as 5 percent of the country's population, or about 500,000 people, Gypsies in Hungary are the largest of the minority groups. Gypsies are not recognized officially as a minority group but as an ethnic group on grounds that about three-fourths of them speak only Hungarian. Although there is considerable popular prejudice against Gypsies, who tend to hold the lowest-paying

jobs and have an unemployment rate of 10-20 percent, the Government claims to assist the Gypsies economically.

There are an estimated 100,000 Jews in Hungary, of which about 15,000 are thought to be practicing. In Budapest alone, there are 30 synagogues and prayer houses. The Central Council of Hungarian Jews (MIOK), which organizes Jewish activities in Hungary, publishes its own biweekly newspaper, *Uj Elet* (New Life), and runs both a Jewish retreat on Lake Balaton and a retirement center. In 1984, a number of conferences were held in Budapest on the Jewish Holocaust. In May 1984, the Hungarian Government improved the ability of Hungarian citizens of Jewish descent to travel to Israel and for Israelis to travel to Hungary.

There seem to be few, if any, problems unique to the other minority or ethnic groups, which include Romanians, Slovaks, Serbs, Croats and Slovenes. Romanians are the smallest of the minorities; numbering between 20,000 and 25,000, only about 50 percent claim Romanian as their native language. Cultural life is organized by a Democratic Federation of Romanians in Hungary. There is bilingual education opportunities, radio and television programs in Romanian, and several Romanian language libraries. For the approximately 110,000-strong South Slav groups, there are several bilingual schools. Bilingual education was introduced in five more elementary and secondary schools in 1985 alone. In addition, there is the Serbo-Croatian paper, *Narodne Novine*, published by the Democratic South Slav Association of Hungary.

ECONOMIC AND SOCIAL ISSUES

Hungary is well known in the West for the results of its New Economic Mechanism (NEM), which was originally introduced in 1968. The main characteristic of the New Economic Mechanism has been the decentralization of the economy and, to a very small extent, its privatization. Private farming and some private consumer services, while encouraged, are limited by credit and product shortages. Nevertheless, the NEM has helped to prevent the food shortages common in other East European countries and has given Hungarians a relatively high standard of living for the region.

In the late 1970's and the early 1980's, however, Hungary, along with all of the other East European countries and the Soviet Union, witnessed deteriorating economic conditions, primarily the result of external difficulties. While the Hungarian Government embarked on further reforms, it could not prevent the economy from sliding and the quality of life along with it. Income differentials widened, causing those on the lower ends to become increasingly demoralized. An increasing number of people took second jobs, some legal and others illegal, to maintain their current lifestyles as price hikes created an increasing price/income ratio. While such price hikes might have averted food shortages and other economic crises experienced in neighboring countries, it contributed to a perceptible deterioration in the quality of life as demonstrated by a growth in alcohol consumption, high suicide rates, and increases in crime and poverty.⁸

⁸ See footnote on p. 233.

The difficult economic situation created the need for additional efforts at reform. In early 1984, albeit on an extremely limited basis, the purchase of five types of utility and construction bonds were permitted for the first time. The Hungarian leadership claims to be committed to continuing economic reform.

Unfortunately, the recent economic problems have also created some less innovative measures. For example, a decree (19/1984) came into effect in 1984 under which anyone not having regular income or visible means of support such as proof of employment can be labelled a "public menace" and sentenced to 1 year corrective labor. These individuals would have to work at an assigned workplace and live in a corrective facility, although, after working hours they are free to move within the administrative boundaries of their assigned location. The workplace for a male offender is a mine, for a female a leather factory. Earlier this year an official union paper reported that 80 people have been sentenced under this law. One individual has noted that, while it is directed against the poor generally, it has been used chiefly against Gypsies. Prior to the law, a person who has been unemployed for 3 months was subject only to a fine.⁹

Regarding trade union rights, the Hungarian National Trade Union Council (SZOT) is one of the HSWP's mass organizations and is directly controlled by the party. In fact, the chairman of the Council is a member of the HSWP Politburo. While the Council can represent workers' interests within certain bounds, such as the ability to veto the appointment of state-nominated managers and a few other powers at the local and enterprise level, it is more active as a transmitter of official policies to the workers. The Constitution does not provide the right to strike, and there have been only occasional work stoppages on a local level in recent years. In 1985, the National Trade Union Council incorporated some aspects of the new election law into elections within the Council. Despite this increasing openness within its structure, and some increasingly assertive rank-and-file members at the 25th Congress of the Council in February 1986, the Council has continued to function primarily as a tool to mobilize workers to fulfill the state's economic goals.

POLAND

INTRODUCTION

Despite Helsinki and Madrid pledges, Poland continues to violate the human rights and fundamental freedoms of its people. Although the Jaruzelski government released virtually all prisoners of conscience by mid-September 1986 and called for the formation of a consultative social council comprised of representatives from independent elements to advise the Council of State, no genuine dialogue yet exists between the Government and Polish society. The Solidarity Union remains outlawed; its newly formed above-ground national council has been declared illegal by the authorities. An extensive array of repressive legislation passed in the years since the imposition of martial law remains in place as a formidable instrument of social control.

⁹ See footnote on p. 233.

OVERVIEW OF TRENDS SINCE 1982

The previous report ended on a somber note. From the cataclysmic conditions that prevailed in the immediate aftermath of martial law's imposition on December 13, 1981, Poland entered into a bleak period of "normalization," the term Jaruzelski's Military Council of National Salvation (WRON) used to describe an aggressive policy that threatened to reduce the country to a state of leaden conformism similar to that forced on Hungary in 1956 and Czechoslovakia in 1968. The rubber-stamp Parliament (*Sejm*) had outlawed Solidarity and other freely established organizations. Poland was caught in a downwardly spiraling cycle of regime repression, massive popular resistance and harsh regime reaction.

In the years that followed, the Jaruzelski government has, through enactment and enforcement of repressive legislation, tightened the machinery of internal control. On the other hand, it has made calculated gestures—such as successive amnesties and state visits—in an effort to defuse domestic resistance and achieve maximum impact in the West. Meanwhile, Solidarity and the Catholic Church successfully have maneuvered to preserve and assert their respective roles as independent forces within Polish society. And a pervasive opposition culture has emerged.

Just over 1 year after its imposition, the Parliament formally suspended martial law on December 31, 1982. However, the Sejm approved a series of attendant regulations creating machinery to facilitate its re-imposition at the will of the Government. With the suspension, the practice of internment without trial ended, and other restrictions were removed. Nearly all internees—announced by the Government to have approached more than 10,000 persons in all since December 1981, with no more than 5,000 reportedly to be held during any one period—were released. But other internal controls were applied. Martial law restrictions were incorporated into the civil and criminal codes, thus "institutionalizing" the ongoing repression. Moreover, pre-martial law restrictions that had not been enforced now were put into practice. On the eve of anticipated opposition events such as street demonstrations, usually timed to correspond with dates bearing a significance in Polish history or for the Solidarity movement, a new form of harassment was employed against former internees and Solidarity activists—special reserve military call-ups followed by incarcerations in punitive military internment camps under inhumane conditions. The practice was discontinued in February 1983. Street demonstrations, though diminishing in size and intensity, still were countered by hostile and overwhelming force by the authorities and resulted in new waves of detentions.

Furthermore, the suspension of martial law did not bring freedom to the estimated 900 persons who had been tried, convicted and sentenced for martial law violations by summary military and civil tribunals, nor did it lead to the release of those under investigatory arrest awaiting trial. People engaged in unofficial publishing and members of the Solidarity Union's clandestine Temporary Coordinating Commission (TKK) were principal targets for arrest and prosecution. Meanwhile, other independent opposition groups formed—both above and below ground—including a reconstituted

Helsinki Monitoring Committee, whose members were forced by repressive conditions to remain anonymous.

Following the successful papal visit in June, the martial law period officially was lifted by an act of the *Sejm* on July 22, 1983. Poland returned to civilian rule, WRON was disbanded and most workplaces were demilitarized. The "lifting" was accompanied by a significant, but conditional amnesty (the first of four large annual amnesties that were to be recorded in the reporting period). The Government engaged in an accelerated effort to create new or remake previously-existing institutions—such as the Patriotic Movement of National Rebirth or PRON, a popular-front organization, and the National Trade Union Alliance, OPZZ, an umbrella group for the new official trade unions—which were advertised as an effort to bring about "national reconciliation" by decentralizing economic and social decisionmaking and eventually to supplant public loyalty to Solidarity and other freely established organizations. The formidable array of repressive legislation kept growing and the independence of institutions of higher learning became a primary target. Throughout, the Government continued its practice of "preventive" detentions of suspected organizers of opposition events.

Beginning with the international attention focused on Poland during the showcase papal visit, which was presented as a demonstration of the close cooperation possible between church and state, the Jaruzelski government began to seek legitimacy from, and consequently, secure improved economic relations with, the international community—an effort that continues to the present. The U.N. Secretary General Perez de Cuellar visited Poland in February 1984 and Poland visibly increased its participation in bilateral and multilateral endeavors, including its activist role at the Madrid Review Meeting as a principal sponsor of the Warsaw Pact's proposal for a Conference on Disarmament in Europe (CDE). At Madrid and other international meetings, Poland took a carefully legalistic approach to its international obligations in the fields of human, civil and trade union rights. It did not cooperate with the International Labor Organization's Special Board of Inquiry that was given the task to investigate violations of ILO Conventions in Poland. And, when the ILO's Governing Body formally took note of the Board's critical findings in late 1984, Poland announced it would withdraw from that organization. At the U.N. Human Rights Commission, Poland remained obstructionist, using procedural obstacles to thwart criticism.

A series of state visits by Jaruzelski to Socialist countries were followed by return visits from his Warsaw Pact counterparts in July 1985 for the 40th anniversary of the founding of the Polish People's Republic (PPR). Official Polish media played up Poland's role in the Stockholm CDE as well as government agreement on debt rescheduling with commercial bank creditors. From late 1984, starting with the visit to Warsaw of Greek Prime Minister Papan-dreou, through 1986, Poland made other bids for international "normalization." In 1985, Italian Prime Minister Craxi, F.R.G. Foreign Minister Genscher, F.R.G. ex-Chancellor and Social Democratic Party leader Brandt and British Foreign Secretary Howe traveled to Poland. Jaruzelski went to New York to address the U.N.

General Assembly, and ended the year with a controversial trip to Paris, where he met with President Mitterrand. In 1986, former U.S. envoy to Poland (1968-72) and retired Deputy Secretary of State Walter J. Stoessel traveled to Poland on a private visit, where he met with Jaruzelski, Primate Glemp and members of the opposition. Subsequently, Stoessel flew to Rome for a meeting with the Pope. In April, Foreign Minister Marian Orzechowski became the first senior Polish official to visit the F.R.G. since the crack-down, where he met with Chancellor Kohl and Foreign Minister Genscher, among others. In August, Poland eased visa procedures for Israel, agreeing to a reciprocal opening of bureaus in Warsaw and Tel Aviv and fueling speculation that Poland might serve as an intermediary between the U.S.S.R. and Israel on emigration and other matters.

Domestically, however, opposition activists—particularly those engaged in underground publishing or broadcasting—and civil rights lawyers were subjected to increased pressure from arrests, searches and detention. The prisoner population had swelled well beyond that which existed before the previous amnesty. The second large, but again conditional amnesty took place in July 1984. Prisoners of conscience engaged in hunger strikes in an effort to obtain political prisoner status and to secure other prisoners' rights. Reports of beatings of prisoners and of other forms of inhumane treatment by prison authorities reached the West in growing numbers. The fatal beating in May 1983 of Grzegorz Przemyk, son of pro-Solidarity poet Barbara Sadowska, and the suspected murder by security police in January 1984 of Rural Solidarity leader Piotr Bartoszcze increasingly evidenced extra-legal acts of violence perpetrated against opposition leaders and supporters. The Przemyk trial generally was regarded as a mockery of justice. The Bartoszcze case never went to trial. After a 2½-year wait in pre-trial detention, four leading KOR (Workers' Defense Committee) activists were tried on charges of attempting to overthrow the state, but proceedings were soon suspended and the defendants amnestied.

Church and state engaged in a fitful dialogue on issues such as the legal status of the Catholic Church; establishing diplomatic relations between the PPR and the Vatican; the legal framework for the proposed church fund to aid private agriculture; harassment of activist clergy; the treatment of prisoners; and, the social welfare of Solidarity activists. The so-called "war of the crosses" provoked an outpouring of popular sentiment that led to the retention of one crucifix in each school building.

The abduction and murder by security police of Father Jerzy Popieluszko in October 1984 threw church-state relations into a crisis. In order to diffuse widespread suspicion of criminal involvement by high-level officials, the arrest, trial, conviction and stiff sentencing of the four security service (SB) defendants were given extensive coverage in the Polish mass media and extraordinary access was permitted the foreign press. The spectacle of East bloc security police on trial before a rapt domestic and international public was unprecedented in post-war Eastern Europe. However, the slanderous attacks on Popieluszko and the church that were heard in the courtroom during the trial and echoed in the official media vitiated this public relations effort.

The official press quickened the drumbeat against activist priests, accusing them of "illegal" activities and even going so far as to criticize the Pope, prompting a public outcry and an indignant denial by Primate Glemp. Another round of the "war of the crosses" was fought. In September and February, expected meetings between Glemp and Jaruzelski failed to take place. Eventually, they met in June 1985 for the first time in more than 1 year. Negotiations on the church aid plan for private agriculture were stalled. Physical attacks on activist priests and others under suspicious circumstances continued to occur with alarming frequency. In an especially grisly episode, Krakow priest and Solidarity advisor Tadeusz Zaleski reported on April 6, 1985 that he was attacked by a hooded assailant (allegedly an SB officer) who gassed him unconscious and burned him repeatedly with cigarettes.

By mid-1985, the prisoner population had climbed through new arrests and the re-arrest of prominent Solidarity and human rights activists from the 22 acknowledged by the Government in July 1984 to an estimated 360 persons held on politically motivated grounds. Under new court procedures adopted by the *Sejm* in May 1985, authorities had been given the power to convict and imprison political offenders within 48 hours of arrest. The campaign against opposition activists intensified following the trial of Popieluszko's murderers and the arrest in Gdansk in mid-February of ex-KOR member Adam Michnik and TKK leaders Bogdan Lis and Wladyslaw Frasyniuk. The three had been meeting with Lech Walesa and others to discuss a (subsequently aborted) general strike against food price increases and other trade union matters when the police broke up the gathering. Attempts to discredit Solidarity leaders and other oppositionists by implicating them as tools of "enemy centers" such as Radio Free Europe and the Central Intelligence Agency became the order of the day. Prosecution on treason charges carrying a maximum penalty of death became an ominous possibility for prominent activists. In June 1985, amidst loud public protest in Poland and abroad, Michnik, Lis and Frasyniuk were tried in a proceeding closed to Western journalists and sentenced to prison terms of 3, 2½ and 3½ years, respectively, for "membership in an illegal organization," i.e., the TKK, and for fomenting public unrest.

The Polish Government also stepped up its propaganda tirade against Western diplomats, correspondents and radios for interference in Poland's internal affairs. A sore-point was the formation in November 1985 of the Solidarity Endowment by leading U.S. political figures.

By November 1985, over 400 prisoners of conscience were incarcerated. Church and opposition groups pressed hard for an amnesty. On November 9, in response to a government-orchestrated "humanitarian initiative" by the PRON, a review of the cases of all prisoners held for "noncriminal offenses" was ordered. By the end of the year, one-half of the prisoners had been released, but *cause celebres* remained behind bars. Their numbers began to rise again in the new year. Reports of the brutal treatment of inmates and detainees mounted.

On February 11, Walesa was put on public trial in Gdansk on insubstantial charges of slandering local election officials for state-

ments questioning the accuracy of the results of the *Sejm* elections in October 1985. The Government, evidently wishing to avoid controversy, dismissed the case by means of a transparent face-saving maneuver. Lis, Frasyński and Michnik's appeal was rejected by the Supreme Court on February 21, but the sentences of Lis and Michnik were reduced. Due to the fact that he was a recidivist, Frasyński's original sentence was upheld. Subsequently, information reached the West of his mistreatment in prison. After nearly a year of investigatory arrest, leader Leszek Moczulski, along with four other activists in the Confederation for an Independent Poland (KPN), finally went to trial for engaging in "anti-state activity" on March 3, 1985 in a courtroom closed to the foreign press.

Meanwhile, the Polish authorities made a series of damaging and demoralizing arrests of opposition figures. Bogdan Borusewicz, TKK's second-in-command, was arrested in a raid in January against an underground publishing operation. Perhaps the greatest blow to the Solidarity underground was struck with the apprehension on May 31, 1986 of TKK leader Zbigniew Bujak, who had been in hiding since the imposition of martial law.

During the Tenth Communist Party Congress in June 1986, Soviet General Secretary Gorbachev gave his seal of approval to Jaruzelski's handling of "a period of keen ideological and political confrontation," i.e., the rise of Solidarity and the stewardship of martial law's aftermath, and accused the West of attempting to destabilize Poland. In a lengthy address, Jaruzelski declared Poland "normalized," ruled out any return to union pluralism, defended his repression of Solidarity and delivered his own blistering attack against the United States. At the same time, Jaruzelski alluded to a fourth conditional amnesty. He further claimed that the Government seeks improved relations with the church, but condemned "anti-socialist clericalism articulated by some of the priests."

The amnesty took place pursuant to a July 17 act of parliament and was to be carried out through mid-September. On September 4, 1986, the church bitterly announced the abandonment of its 4-year effort to reach agreement with the Government on a church-sponsored agricultural fund for private farmers. Speculation and public pressure mounted at home and abroad regarding the extent of the amnesty. Steadily, scores of prisoners, including long-held prominent activists, were released seemingly without condition. In a surprise move on September 11, Interior Minister Kiszczak announced that all persons "sentenced and/or under arrest for offenses and transgressions against the state and public order" would be released. Fugitive activists would have until the end of the year to give themselves up. By mid-September, virtually all of Poland's prisoners of conscience—some 225 persons—were summarily freed. Furthermore, Jaruzelski called upon the opposition to abandon underground activity and sought the church's support for a new social council of political independents, church laymen and moderate Solidarity activists that would advise the Council of State.

With the sweeping prisoner release and plan for the state advisory council, Poland's post-martial law history clearly had entered a new phase that offered new challenges to the Government, church and opposition alike. Solidarity and church leaders engaged in intensive talks on how best to respond to the changed circumstances.

The Solidarity leadership completed a plan for what they described as the most aggressive public activity that the movement had attempted since the 1981 crackdown. On September 30, the Solidarity Union announced that a seven-member "temporary Solidarity council" had been created to replace the TKK (the union's underground). Members of the new council are Zbigniew Bujak, Solidarity's Warsaw leader and former underground head, Bogdan Borusewicz and Bogdan Lis of Gdansk, Tadeusz Jedynek of Silesia, Janusz Palubicki of Poznan, and Jozef Pinior and Wladyslaw Frasnyniuk of Wroclaw. Underground activists began to emerge from hiding and the independent union embarked upon its first effort to operate openly since its de-legalization in 1982. However, "technical and organizational structures will continue underground," including the extensive clandestine publishing operations and independent union cells in factories.

Walesa's September 30 statement announcing the formation of the temporary Solidarity Council summed up the situation as Poland faced a new crossroads: "The decision to release political prisoners is an important fact and it creates a chance to change the social climate in the country. The step should be followed immediately by such measures that will break the deadlock between the authorities and society. If this will not happen, then the results of this decision will be short-lived. The prisons will begin to fill up again and a dangerous further deterioration of the economy and ecology will follow."

The Government's response to Solidarity's Council was swift as well as categorical. On October 6, the director of the socioadministrative department at the Gdansk provincial government office ruled the union's new council illegal, saying that it "may cause a threat to security, peace or public order. The investigation concluded that the . . . organization . . . cannot function within the legal order because its creation was not legalized on the basis of the law on association or other legal regulations." *Pravda* has charged the council with "planning to revive illegal activity, in contravention of Poland's laws." Walesa and the members of the new council have been called in for questioning, but there have been no arrests to date.

There follows a topical description of human rights conditions in Poland:

CIVIL AND POLITICAL RIGHTS

Persecution and imprisonment

More than 10 years after the signing of the Helsinki Final Act, 6 years after the Gdansk Agreement and 5 years after the declaration of martial law, the rights of freedom of association, free assembly, freedom of expression and other internationally guaranteed rights remain seriously restricted in Poland despite constitutional guarantees to the contrary. Under Polish law, the articles in the Penal and Petty Offenses Codes are broadly worded so that the exercise of these basic rights and freedoms carries with it the real risk of legal penalty. Extensive powers given to police and security forces during martial law subsequently have been made part of the permanent legal structure. As a result, the police now have virtual-

ly unlimited search and arrest powers; they have used deadly weapons and coercive force to quell public protests; and, they regularly violate inherent privacy rights of Polish citizens. Solidarity and other opposition members and supporters have been subjected to discrimination, harassment, searches, surveillance, interrogation, repeated short-term detention, prosecution, physical assault and even murder for efforts to know and act upon their human and workers' rights.

Beyond the hundreds of persons held under indefinitely renewable periods of investigative arrest awaiting trial and others sentenced and serving terms of imprisonment, the PPR has employed broadscale suspended sentences (concomitant with restrictions on civil liberties, movement, and employment reinstatement by the courts at any time), fines, and conditional releases from imprisonment. Particular targets for persecution and arrest on political grounds have been those engaged in the printing of illegal publications and books and those who have continued to engage in banned trade unions and other independent associations. In recent months, a growing number of people have been sentenced for conscientious objection and were not included in the sweeping 1986 amnesty.

The Polish authorities do not recognize the status of political prisoner nor are officially acknowledged prisoner statistics reliable. Often, independent sources and the church estimate that official figures are well below actual numbers. Political prisoners are often interrogated, beaten, and held under cruel and inhuman conditions. Generally, they are denied rights to meet with defense counsel or their families, to correspondence, and to other internationally recognized rights of prisoners. According to the Helsinki Committee in Poland, some of the most cruel and inhuman treatment of prisoners is found at the Investigative Detention Centers. Abused prisoners such as Czeslaw Bielecki, independent author and architect, have engaged in hunger strikes to protest the conditions under which they were being held (Bielecki had been imprisoned without trial since April 1985 and was released in the recent amnesty). When amnesty acts are in effect, investigative proceedings are conditionally suspended and the suspects released.

According to the Helsinki Committee in Poland's *Third Report on Human and Civil Rights: January-October 1984*, published in English translation by the Committee in Support of Solidarity in New York and the Information Center for Polish Affairs in London, most of the individuals imprisoned for political reasons were accused of membership in an illegal organization, such as the banned Solidarity union; defamation of the State and dissemination of illegal information, a charge levied against the editors, printers, and distributors of independent publications; participation in or organization of public disturbances, applied against those taking part in peaceful demonstrations; unlicensed use of transmitters, levied against those active in Radio Solidarity; misuse of Socialist property, i.e. using state property, such as copying machines and state printing equipment for opposition activities; and acts against the fundamental interests of the state or treasonable offenses—the most serious offenses under the Penal Code providing for lengthy sentences up to a possible death penalty—levied against TKK ringleaders such as Zbigniew Bujak.

Also, for primarily political reasons, numerous persons have been sentenced under dubious criminal charges such as theft, assault, rape, and even complicity in murder.

The *Law on Special Regulations Governing the Period of the Socio-Economic Crisis*, promulgated July 23, 1983 and in force until December 31, 1985, provided to Governors of Voivodships and Presidents of Cities, powers to institute states of "emergency" in cases where peaceful demonstrations were organized. These powers included the introduction of summary procedures, with no right of appeal, in both penal and misdemeanor courts.

Thus, authorities have used both legislative and judicial instruments with summary procedures to impose sentences on persons detained for participating in a peaceful assembly or detained prior to demonstrations.

Since 1982, there have been widespread instances of cruel and inhuman treatment, and even murder, of opposition leaders and sympathizers by functionaries of police organs, prison personnel and faceless attackers. This includes police beatings of persons under detention, attacks by "unknown assailants" and police functionaries in homes and on the streets, the abduction of persons from the street by police and "unknown assailants" and their subsequent subjection to torture. Human rights sources in Poland have reported more than 30 cases of mysterious disappearances or deaths since the imposition of martial law that were neither investigated nor resolved by the authorities. In addition, the police have used excessive force to disperse peaceful assemblies.

The Helsinki Committee in Poland estimates that at least 46 deaths have resulted from police violence in the post-Madrid period.

The practice of psychiatric abuse of dissidents as known in the Soviet Union and Romania does not exist in Poland.

Unofficial groups

Solidarity remains the besieged vanguard of broadly based social opposition. Opposition groups, largely working in cultural and educational spheres and engaged in unofficial publishing (as many as 1,000 separate *samizdat* publications circulate by some counts), have evolved from the martial law experience. Notable groups include:

Citizens' Committees Against Violence (KOPPs). In the aftermath of the Popieluszko abduction and murder in October 1984, independent Citizens' Committees against Violence (KOPPs) formed in a number of Polish cities despite warnings from the authorities to refrain from monitoring activities. KOPPs were set up above ground in Wroclaw, Krakow and Warsaw by intellectuals and Solidarity activists as well as former members of KSS "KOR" (Committee for Social-Self-Defense, the most influential dissident organization in the pre-Solidarity era which self-dissolved in 1981). The groups were to monitor acts of police brutality, submit the facts to the legal authorities as well as publicize them. Other groups were created in Gdansk, Katowice, Lodz, Poznan, Slupsk and Lublin. However, harassment and arrests rendered the KOPPs initiative virtually inactive within a few months' time.

In one of its first statements, the Warsaw founding group asserted that: "our society has a right to defend itself against fear, to organize itself against political banditry and it is this self-defense and self-organization that our activities will serve. That, too, is Solidarity." In Krakow, a citizens' group statement issued by 22 persons declared: "Let everyone do everything within his power so that Poland is no longer a place of political murders, beatings, abductions and persecutions for political reasons." The aim of the KOPPs was perhaps best summed up in the remarks of Professor Lipinski, (former KOR activist) who emphasized that the groups were not political—"We will have no structure, we will only react to situations" and "reveal facts and connections between facts which may have escaped the notice of the authorities." The ultimate goal was to end "police terror."

As above-ground organizations, the committees attempted to abide scrupulously by the law and therefore applied for registration with the Government. However, the Government deemed the KOPPs illegal and admonished their members that legal steps could be taken against them. In response to the threat, Jacek Kuron, a former KOR member and one of Poland's leading intellectuals, said that the action of the KOPPs are only illegal under a government "based on lawlessness" and that "organizing people in order to research acts of political terrorism and to inform public opinion about them is supported by law in a country where there is law, and by a government, if this government is based on law." The formation of the committees marked the first (in hindsight, premature) attempt by the political opposition to engage in open activities since the imposition of martial law at the end of 1981.

The Helsinki Committee. The Helsinki Committee in Poland, first formed under KOR auspices in 1979 and headed by physicist Zbigniew Romaszewski, was reformed during martial law in October 1982. Since its re-establishment—this time anonymously and underground under TKK auspices—the Helsinki Committee has issued five comprehensive *Reports on Human and Civil Rights in the PPR* covering the martial law period through 1985 and has prepared an extensive report on the post-Madrid period expressly for the Vienna Review Meeting entitled *Violations of Human Rights and Basic Freedoms in the Polish People's Republic from 1983 to 1986*. The first Helsinki Committee Report was submitted to the Madrid Meeting by Jerzy Milewski, Director of the Coordinating Office Abroad of Solidarity. U.S. Ambassador Max Kampelman issued a press statement to acknowledge its receipt.

In addition, the Helsinki Committee has issued specialized reports on *The Situation of Trade Unions* for submission to the ILO's 69th Annual Conference in 1983; a 1984 *Special Report to the U.N. Commission on Human Rights*, which responded to a report of the Secretary General's rapporteur on Poland, Patricio Ruedas; on *Acts of Violence and Terror* in December 1985; on *The Right to Work in the Polish People's Republic and the Norms of International Law* (June 1985); and, *The Helsinki Accords, the Human Rights Conventions and Poland*, produced in March 1986.

The Helsinki Committee formally announced its formation in the March 27, 1983 supplement of the unofficial bimonthly newsletter "KOS": "Several months ago the Helsinki Committee in Poland

was founded. The purpose of the Committee is to gather, process, and publish materials concerning human rights violations in Poland. The Committee does not represent any political line and is not associated with any organization of a political nature. We only want to combat illegality by means of providing extensive information on its manifestations. . . . Despite the tradition of the Helsinki Committees active in many countries, we have decided, compelled by circumstances, to remain anonymous. The reports we publish will be authenticated by institutions and persons who command respect in the community."

The reconstituted Helsinki Committee has continued its predecessor's tradition of maintaining contacts and issuing statements of solidarity with Helsinki monitoring groups in other Warsaw Pact countries. On May 19, 1986, the Polish Helsinki Committee addressed a letter to Charter 77 and VONS, stating in part—"The work of Charter 77, the result of your courage, deserves our highest esteem. Your perseverance in facing totalitarian injustice is for us, the participants in the Helsinki Committee in Poland, as well as for the entire Solidarity movement, a source of hope in making our common values and goals a reality. We believe that the natural bond of common purpose should lead to mutually agreed upon forms of cooperation."

Solidarity's new temporary national council, formed following the Government's sweeping amnesty in mid-September 1986, marks the free union's first attempt to operate openly above-ground since the imposition of martial law in December 1981.

CULTURAL RIGHTS

A lasting legacy of the Solidarity movement has been the flourishing of independent culture, a phenomenon that blossomed in the pressured hot-house environment of post-martial law Poland to an extent unmatched in the Warsaw Pact. The burgeoning of independent culture has been met with efforts on the part of the Government to reassert state control over the "production" of culture by tightening control over all aspects of official culture and by attempting to eliminate all forms of independent cultural activity. Some parts of the more liberal Solidarity era censorship law (October 1, 1981) were suspended, and in 1982 and 1983, new restrictive legislation was enacted.

Repressive or restrictive measures taken against independent culture have included: under martial law (December 1981 to July 1983), the introduction of a range of severe prison sentences for all forms of independent publishing and dissemination of information; since the formal lifting of martial law in July 1983, the arrest and imprisonment of large numbers of people engaged in such activities; and, official propaganda efforts to link cultural activists with "Western centers of subversion."

In 1985, the Government stepped up its campaign against the independence of Poland's traditionally outspoken academic community. A number of damaging amendments to the law on higher education were passed and punitive actions were taken against academics prominent in the opposition. In late 1985, 70 rectors and

deans were dismissed from their administrative posts, but retained their teaching responsibilities.

At the CSCE Cultural Forum in Budapest (1985), U.S. delegates raised the names of Polish cultural figures who had been persecuted for their independent activities. U.S. cultural figure Peter Blake named the case of fellow architect Czeslaw Bielecki, then imprisoned for his unofficial publishing activities, and U.S. Deputy Head of Delegation Polansky referred to the Polish people's deprivation of many excellent works by Nobel Laureate Czeslaw Milosz. Polansky quoted a deputy director of the Cultural Section of the Polish United Workers Party, who is reported to have suggested that too many works by Milosz are available to the Polish public.

Despite repressive actions by the Government, the Polish Underground Publications Unit of Radio Free Europe counted 632 titles in its collection of uncensored journals appearing regularly in Poland as of July 1985. The publications ranged from lengthy quarterlies of a literary or socio-political nature to short factory floor newssheets. Despite repression, an estimated 50 independent publishing houses, which have produced hundreds of periodicals, titles, and books in circulations of 2,000-2,500 copies each, a production feat unthinkable elsewhere in the Warsaw Pact. In addition to printed matter, unofficial culture produces tapes and videocassettes, calendars and postcards. Other aspects of the breadth and depth of independent cultural life include self-education groups, poetry readings, art exhibits and theatrical performances.

More orthodox party and government officials attempt to retain tight control over the most influential print and electronic media. Yet editors-in-chief of individual publications can and do wield significant influence. Articles appearing in the unofficial press frequently spark lively debate in the official press as well.

The Independent Catholic Weekly "Tygodnik Powszechny" and official publications present contending views on economic reform, party ideology and cadre policy, the extent of dialogue with various spheres of society, bilateral issues, the role of the church, and the role of the intellectual in society. The officially sanctioned press also freely discusses social and family problems, acute housing conditions, drug and alcohol abuse, poor delivery of medical services, problems in education and alienated youth, environmental issues, and many other subjects highlighting current concerns in Poland. Even within the sphere of international issues, and specifically those involving East-West relations, the Polish media contain a handful of well-known journalists who frequently treat individual subjects, such as arms negotiations, by focusing on the facts and eschewing the usual public propaganda lines.

Many journalists who were dismissed during martial law or who resigned in protest are now active again in a variety of smaller-circulation but widely read publications.

In October 1986, the editors of *Respublica*, a clandestine quarterly that began publication in 1978, received the green light from Polish authorities to operate legally. *Respublica* had first applied for legalization in 1981, before the imposition of martial law.

RELIGIOUS RIGHTS

Compared with other East European countries, the practice of religion in Poland is relatively free. Poland is overwhelmingly a Roman Catholic country with representation by a number of Protestant denominations, perhaps one-half million Orthodox, and less than 10,000 Jews remaining after the devastation of World War II and post-war purges. Generally speaking, religions are required to register with the Government. Registration offers certain advantages in the purchase of property and other matters. Permission to register is not always granted. Poland's small number of Zen Buddhists, for example, have no Government recognition (although they continue to function nevertheless). The Roman Catholic Church has no legal standing. Discussions on the question of the church's status have been held on-and-off over the years but no resolution is in sight. In acknowledgement of the church's influential role in Polish society, the Jaruzelski government has enlisted its aid in anti-alcoholism and other social welfare campaigns.

The state usually does not interfere in the appointment of pastors to parishes although at times the state tries to persuade the church to transfer or muzzle activist priests. In 1984, Father Stanislaw Malkowski, whose virulently anti-Communist sermons raised the ire of the authorities, was ordered by the Episcopate to desist from preaching in the Warsaw archdiocese. As is the case in other European countries, the Government must acquiesce to the appointments of bishops ordinary. The church's candidate is usually approved but occasionally only after a considerable delay.

The roster of Roman Catholic publications is long and recently the church has been able to issue its publications in larger numbers. Other religious denominations print a variety of religious publications subject to availability of newsprint and paper. As with all above-ground publications in Poland, religious publications must pass censorship. The Catholic Church continues to broadcast Sunday Mass on state-run radio; the smaller Protestant Churches do so on a rotating basis.

The Primate, the Episcopate as a whole, and the clergy have been outspoken in calling for greater individual freedom and respect for human rights, often drawing fire from the Government and official media for its defense of Solidarity figures and other opposition activists.

The Government drive has been relentless against activist priests who have defended openly human rights and who have opened their churches to independent cultural and educational activities. In 1984, the Government was said to have a blacklist of 69 activist priests (the existence of which was never confirmed by church or state). During the Popieluszko trial, state prosecutors attempted to place the church in the dock along with the convicted defendants for its civil and human rights activism. Other activist priests have been singled out for harassment (such as Father Henryk Janowski, pastor of Lech Walesa's church in Gdansk) and have been the targets of assaults (such as Father Tadeusz Zaleski of Krakow).

An issue of principle that symbolized the conflict between church and state is the question of displaying crosses in public places such as classrooms. The issue surfaced in March 1984, when authorities

in a small town south of Warsaw removed crosses from classrooms, basing their action on the doctrine of separation of church and state. Many students and local church leaders objected. Although the positions of church and state on the issue are irreconcilable in principle, a compromise was reached in this instance which permitted the hanging of a cross in one highly visible location in each school. However, government efforts to remove crosses from schools and public places have increased.

In early September 1986, the church, bitterly citing government intransigence, abandoned its 4-year-old proposal—stemming from the 1983 papal visit—for a church-sponsored aid fund for private agriculture.

NATIONAL MINORITIES

Poland is basically an ethnically homogeneous nation with no minorities recognized as such. After normalization of relations with the Federal Republic of Germany in 1972, the Polish Government worked out an arrangement permitting the emigration of people considered to be ethnic Germans by the German authorities in exchange for credits. In recent years the rate of "German" emigration has fallen considerably. The Polish authorities insist that there is no German minority in Poland and have received support from Roman Catholic Primate Cardinal Glemp to that effect. The P.P.R. has resisted F.R.G. suggestions that German language and cultural instruction be provided to the remaining ethnic Germans in Polish schools.

Government sensitivity regarding the permanence of Poland's post-war borders remains an issue vis-a-vis the F.R.G. The Polish Government and state media frequently lambaste political forces of "revanchism" in the Federal Republic and pursued the issue during high-level bilateral exchanges with F.R.G. officials in 1985 and 1986.

Many of Poland's Ukrainian population, either Orthodox or Uniate, feel discriminated against, not so much by the Polish authorities as such but by the Roman Catholic Church, which dominates religious life in Poland. With the exception of a Ukrainian-language newspaper, the Polish authorities do little to promote or preserve Ukrainian culture within Polish boundaries. Poland's small remaining Jewish community, with an average age of over 70, is slowly disappearing. The Polish authorities have subsidized a Jewish theater in Warsaw for years and have restored a few synagogues, but no rabbi has served the needs of the Jewish community in Poland on a regular basis for the past 30 years.

TRADE UNION RIGHTS

The question of free trade union activity is the principal human rights issue in Poland today. Martial law was declared and implemented to suppress and destroy the free trade union movement, Solidarity. The trade union language in the Madrid Concluding Document was a direct legacy of Solidarity. The ongoing violations by Poland of civil and workers' rights directly contravene the PPR's Madrid Concluding Document obligations with respect to the rights of freely established and joined trade unions. To reinforce

the new and hard-won Madrid language, and to underscore ongoing violations of trade union rights in Poland and the U.S.S.R., the Western countries addressed the issue of free trade unions at the CSCE Human Rights Experts Meeting in Ottawa (1985) and the Human Contacts Experts Meeting in Bern (1986), both in the crafting of proposals and in speeches.

On June 27, 1984, the International Labor Organization released a report by its special Commission of Inquiry highly critical of the trade union situation in Poland in the martial law period. The appointment of the Commission, set up in May 1983, to look into charges submitted by Western trade unions, was the strongest action the ILO can take against any of its 151 members. Describing conditions in Poland as "a situation today which no one can consider normal and even less to be satisfactory," the Commission report resolutely called upon the Jaruzelski government to take part in "free and unprejudiced exchanges of views" with the "representatives of the various trade union trends that have arisen . . . in recent years," i.e. Solidarity. The Commission went on to urge the release and amnesty of all workers still in prison for exercising trade union rights, the abolition of exceptional measures and the full restoration of freedom of expression and assembly.

Furthermore, directly quoting from Principle VII of the Helsinki Final Act, the Commission deemed it: "of the greatest importance for the full observance of the Conventions on freedom of association if, as provided by the Final Act of the Conference on Security and Cooperation in Europe, adopted at Helsinki in 1975, the Government of Poland, which subscribed to that act, were to promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development."

In compiling the report, the Commission of Inquiry exhaustively reviewed evidence submitted by international trade union organizations and invited submissions from a number of Western, neutral and East bloc Governments (the Eastern Governments refused to cooperate).

There is widespread discrimination in employment against Solidarity members. Union members, activists and elected leaders have been subjected to frequent police surveillance, apartment searches, detentions, interrogations and physical violence. A particularly ominous development in recent years was the spurious linking by the Polish Interior Ministry of the Solidarity Underground and its coordinating office abroad in Brussels with Western intelligence. The Director of the Ministry's investigative office said that some Solidarity members are being investigated for treason on the basis of documents provided by an informer, Polish exile Jacek Knapik, who returned to Poland recently after a 10-year absence. The Brussels Office has issued a statement claiming Polish authorities have forged documents to try to discredit the Solidarity movement.

With the formal delegatization of Solidarity in October 1982, a new set of laws was passed severely limiting the prospects for the future development of free trade unions in the Solidarity mold. The laws prescribed a timetable for the formation of unions under the new rules and proscribed strikes except in extremely circumscribed

circumstances. At the same time, new trade unions, alleged to be "free and independent," were created under the auspices of the Government. The new unions have coalesced into a national organization and have reintegrated themselves into the international network of "Socialist" unions under the umbrella National Trade Union Alliance, or OPZZ. However, the new unions lack credibility. Government leaders have rejected emphatically trade union pluralism as an invitation to political chaos but trade union pluralism *de facto* exists. Underground Solidarity (the TKK) claims 1 million dues-paying members and Solidarity has infiltrated factory self-management councils to a certain extent.

On October 21, 1985, the OPZZ took over 21.5 billion *zlotys* worth of Solidarity assets that had been seized under martial law.

COOPERATION WITH INTERNATIONAL HUMAN RIGHTS ORGANIZATIONS

The Polish authorities regard any critical comment on Poland's performance on human rights as interference in its internal affairs. The most glaring example is the PPR's categorical refusal to cooperate with the ILO's Commission of Inquiry. Poland suspended its participation in the ILO after the Commission of Inquiry released its report on June 27, 1984 highly critical of Poland's record. After the ILO routinely voted to make the report part of the official ILO record, Poland announced its intention to withdraw from that organization in protest by the end of November 1986.

APPROACH TO CSCE

The imposition of martial law in Poland, coming 1 year into the already deadlocked Madrid Meeting, had a profound effect on the conduct of that negotiation. The Polish delegation, consistent with its practice at other international fora, took a highly legalistic approach in defending its actions, insisting that Poland should be permitted to solve its own difficult problems, that international criticism would only complicate a return to normalization, and that such criticism constitutes interference in Poland's internal affairs. This approach remained consistent throughout Ottawa and Bern. At Budapest, Western criticism of Poland's cultural policy and repression of independent cultural figures elicited a similarly indignant reaction from the Polish delegation.

While taking a combative hard-line when challenged on human rights matter, Poland has prided itself in the active role it has played in the security aspects of CSCE as a principal sponsor of the East's military security proposal at Madrid, which eventually led to the Stockholm CDE.

ROMANIA

INTRODUCTION

Romanian restrictions on individual and collective liberties as set forth in the Helsinki and Madrid agreements have not decreased since the publication of the last CSCE Implementation Report. Rather, in the past several years Romanian authorities have kept up harassment and arrests of Romanian citizens who have sought to act upon the rights guaranteed in the Helsinki Final Act.

Romanian citizens have had to contend with a government-sanctioned austerity program which forces them to live close to the margin of existence. Food and essential services are in extremely short supply. Yet there is little sign of protest aside from the occasional joke or whispered criticism of Ceausescu's disastrous policies. Reports that military officers attempted a coup in January 1983 remain unsubstantiated.

The independent labor and human rights protection groups which surfaced briefly beginning with the Goma movement in 1977 have remained silent since they were crushed by the regime. However, religious life continues to provide an outlet for spiritual expression in Romania, which is enjoying a religious revival unmatched in Eastern Europe.

In spite of the Romanian Government's repressive treatment of its citizens, the lines of communication between concerned Westerners and the Romanian authorities have remained open and have been employed frequently. Romanian authorities have proved willing to discuss human rights concerns voiced by other CSCE signatory states and have, on occasion, acted in specific cases to allay those concerns.

The annual most-favored-nation status review process plays an important role in the United States-Romanian dialogue on human rights. A nonmarket economy country enjoying MFN status since 1975, Romania is granted lower tariff rates for exports to the United States as well as U.S. credits and investment guarantees. The annual confirmation of this trading status explicitly is contingent on Romania's emigration practices and implicitly depends upon Romanian performance in a wide range of human rights areas, including religious and minority rights and prisoners of conscience.

In recent years, Romania has encountered increasing difficulty in obtaining extension of its MFN status. The President must submit to Congress his recommendation on whether to extend MFN status for Romania, among other nonmarket economy countries, by June 3 each year. Both Houses of Congress have the opportunity to lodge a resolution disapproving the Presidential recommendation. Traditionally, before the designated 60-day congressional decision period has passed, the Subcommittee on Trade of the House Ways and Means Committee and the Subcommittee on International Trade of the Senate Finance Committee schedule public hearings to afford the executive branch and nongovernmental organizations a chance to air their views.

Each year, Romania has come up with some limited human rights concessions during the annual MFN review season. In June 1983, Romanian authorities gave assurances to the U.S. Government that they no longer would levy the education tax for would-be emigrants announced in November of the previous year. In 1984, prominent prisoner of conscience Father Gheorghe Calciu-Dumitreasa was released from prison, and in 1985, he was allowed to emigrate to the United States. Also in 1985, Romanian authorities came to an agreement with U.S. special envoy Counselor Edward Derwinski whereby Romanian citizens whose emigration to the United States have been approved no longer will suffer hardships such as loss of employment, access to social services and other

rights of citizenship. In 1986, an amnesty announced in early June—well before the more commonplace Romanian National Day amnesty in August—freed prisoners serving 3 to 5 years in prison and significantly reduced the sentences of others. Also, the Romanians released several Christian prisoners of conscience, such as Adventist Dorel Catarama (imprisoned since 1982 for “economic crimes”), and allowed Catarama and others to emigrate.

Yet other Romanian actions, even during the MFN review period, raise serious questions about the country's willingness to find common ground with either Western human rights advocates or its own citizens. Days before the Senate subcommittee debate on extension of MFN status, demolition crews in Bucharest knocked down a Sephardic synagogue. This action directly violated assurances given to members of the religious community in Romania and abroad.

The U.S. Congress remains dissatisfied with the Romanian human rights performance and continues to weigh carefully the option of suspending or revoking Romania's Most-Favored-Nation status. Congressional concerns cover a variety of areas, including religious and minority rights, prisoners of conscience and emigration.

CIVIL AND POLITICAL RIGHTS

The Romanian Constitution guarantees several fundamental rights, including the freedoms of speech, press and assembly. Yet various articles in the Constitution interfere with and imperil these rights. One of the most blatant contradictions lies in article 29, which forbids the exercise of freedoms determined to be “hostile to the Socialist system and to the interests of the working people.” Article 29 goes on to proclaim, “Any association of a fascist or anti-democratic character is prohibited. Participation in such associations and propaganda of a fascist or anti-democratic character are punished by the law.” Many cases demonstrate that the Romanian authorities interpret fascist and antidemocratic activities widely. The state thus sets substantial limits around the notion of these freedoms set forth in the Constitution.

Several new decrees promulgated since 1982 further restrict the already narrow bounds in Romania of the basic freedoms which should be enjoyed by every CSCE signatory state's citizens. These include some unpublished decrees which reduce Romanian citizens' already minimal permissible personal contact with foreigners visiting Romania. Rights which are not limited by any article in the Constitution are routinely violated at every level of authority from local government to the nationwide *Securitate* (Secret Police).

The Romanian Government employs a wide array of legal and extralegal forms of punishment and intimidation to discourage Romanian citizens from dissenting from the regime or otherwise questioning Romanian state practices. In addition to imprisonment, the Romanian Penal Code authorizes varying degrees of confinement. It sanctions detentions without charges, which can last from 2 to 4 days, and sometimes stretch into months. Often detainees are beaten. It also sanctions preventive arrests. The authorities also employ forced confinement to psychiatric institutions, forced reset-

tlement, forced labor and forced emigration to still opposition. Authorities initiate exhaustive investigations of fraud or embezzlement to harass religious believers whose zeal oversteps the bounds set by the authorities.

Extrajudicial measures taken against activists and their families include the confiscation of identification and ration cards, which are necessary to obtain basic foodstuffs, social services and other necessities of life, expulsion from employment or university and forced retirement. The Romanian authorities have continued to employ all of these methods in the past several years.

The number of political prisoners in Romania is unknown. These prisoners include individuals who have protested the authorities' denial of permission to leave the country as well as individuals who have attempted to leave Romania illegally. Reportedly, the *Securitate* continues to intimidate former political prisoners through surveillance, interrogations and physical abuse.

One Western human rights advocacy organization has reported that it continues to receive grim reports of conditions in Romanian prisons. Food, hygiene and medical care are inadequate, and treatment of prisoners is cruel. For instance, one former prisoner of conscience alerted Amnesty International to the practice in at least one prison of forcing prisoners in solitary confinement to stand in shackles, unable to sit or lie down, but only to squat.¹

In 1984, a Catholic priest, Father Geza Palfi, died apparently as a result of the beatings he received while in custody of the *Securitate*. He had been detained for delivering a sermon critical of the Government. Romanian officials denied that Father Palfi had been imprisoned or beaten and claimed that he had died of cancer in April 1984. In November 1985, Gheorghe-Emil Ursu, a prisoner of conscience who had undergone an exhaustive investigation based on his personal diaries, died after 2 months in detention. The circumstances of his death have yet to be explained satisfactorily, as reportedly he was in fine health at the time of his detention. The officially tendered cause of death was intestinal blockage, liver problems and bronchial pneumonia.

The Romanian regime tightly controls the field of culture. Formal pre-censorship by government officials is required only for plays, while other literary works are censored in a less direct but still effective manner. The authorities cite a shortage of paper as the rationale for limiting the number of works a writer can produce. But clearly, writers who toe the official line, and particularly those who write of President Ceausescu in glowing terms, get published more frequently. Some Romanian writers have protested the regime's discriminatory treatment of artists, seeking instead "an end to the confusion of patriotism with the literature of flattery."²

Several authors and editors who have published provocative pieces in official publications have been transferred or prohibited from publishing again. For example, in November 1984, Georgeta Naidin, an editor known for her promotion of contemporary literature with an obliquely critical tone was moved from the *Cartea Ro-*

^{1 2} See footnotes on p. 233.

manasca publishing house to another publishing house. Shortly afterward, the editor's husband, a literary critic, was removed from the editorial board of *Romania Literara*. Fifty-seven Romanian writers signed a protest letter against this move to the Writers' Union. In February 1985, writer Augustin Buzura published an essay critical of totalitarianism in a cultural weekly; his works did not appear in that publication for several weeks afterwards.³

Other writers have not waited for the authorities to censor their works or ban them from publishing altogether. In 1984, writer Mircea Sandulescu resigned from the Communist Party to protest against the party's interference in culture. In July 1985, dissident poet Dorin Tudoran was allowed to emigrate after years of harassment by authorities. Ever since his resignation from the Council of the Romanian Writer's Union in 1981 in protest of the regime's domination of that body, Tudoran had been unable to publish in Romania. Earlier in 1985, he had gone on a hunger strike lasting 40 days to dramatize his desire to emigrate.

The regime likewise has cracked down firmly in the area of independent publishing and has succeeded in stemming the flow of *samizdat*. In March 1983, the Romanian regime promulgated a decree requiring Romanian citizens to register their typewriters with the militia and forbidding the use of duplicating machines. Citizens with a criminal record or "whose behavior represents a danger to public order or to the security of the state"—which can, of course, be interpreted broadly—are prohibited from owning typewriters whether they are registered or not. No written materials can be taken out of the country without official permission. In June 1984, Nicolae Stoia, the author of a *samizdat* book critical of the Ceausescu regime, was arrested. His whereabouts since his arrest remain unknown.

Nevertheless, a few *samizdat* publications have surfaced in the past several years, as well as a Hungarian-language *samizdat* newspaper which appears regularly. The independent Hungarian press in Transylvania continues to publish, but it is subject to harsh recriminations by the Romanian authorities. Ethnic Hungarian dissidents involved in writing and disseminating *Ellenpontok*, "Counterpoints," which first appeared in December 1981 and put out 10 issues before being disbanded in January 1983 by Romanian authorities, were beaten. Two of the three ethnic Hungarian editors of the journal, Attila Ara-Kovacs and Karoly Toth, were expelled to Hungary. Only the third editor, poet Geza Szocs, remained in Romania, subject to repeated house searches and interrogations. In August 1986, Szocs was allowed to emigrate to the West.

In May 1983, the underground *Hungarian Press of Transylvania* was founded after *Ellenpontok* forcibly was closed. HPT, which has declared itself the Transylvanian Hungarians' "unofficial news agency," has issued over 200 releases so far. The editors have not revealed their identities for fear of official retribution.

The Romanian regime tolerates no political, economic or social participation from individuals or groups acting without the guidance of the state and party. In this context, the situation of workers in Romania is instructive. Article 27 of the Constitution guarantees the right of citizens to join trade unions and other mass or-

³ See footnote on p. 233.

ganizations, but also confirms the Romanian Communist Party's control of workers' "through mass and public organizations." The International Labor Organization has determined that sections 164 and 165 of the Romanian Labor Code, as well as article 26, limit the workers' right to establish independent organizations of their choice, and make the founding of any organization independent of party control illegal.

The Romanian free trade union formed in February 1979, the Free Labor Union of the Working People of Romania (SLOMR), never recovered from the arrests of its founding members. The human rights advocacy movements which emerged briefly in the late 1970's among the intelligentsia, religious communities, workers and minority groups no longer exist in Romania; aside from the group behind the Hungarian-language independent press, no organized group operates. Unrelenting harassment, arrests, imprisonment and forced emigration took a toll on these groups, which included SLOMR and ALRC (the Christian Committee for the Defense of Religion and Conscience).

Individuals, however, particularly those involved with the Hungarian and German minorities and with the churches, continue to risk imprisonment, physical and psychological abuse, and exile by speaking out against the regime. In 1983 engineer Radu Filipescu was arrested and sentenced to 10 years in prison for "propaganda against the socialist order." He had distributed literature calling for demonstrations against the regime. (Filipescu was released from prison in the amnesty of summer 1986, after numerous representations on his behalf by the United States and other CSCE signatories.)

RELIGIOUS FREEDOM

After Poland, church attendance in Romania is the largest in Eastern Europe. Both to believers and the Romanian authorities, the area of religious rights is one of the most troublesome.

Article 30 of the Romanian Constitution guarantees Romanian citizens the freedom "to share or not to share a religious belief." However, the same article makes clear that religious groups will be regulated by the state. Each of the 14 officially recognized—that is, legal—religious denominations functions according to a state-approved charter.

The church enjoying the largest membership by far is the Romanian Orthodox Church, which includes 16 million of Romania's 23 million citizens (69 percent) as members. Traditionally, the Orthodox Church has gotten along well with the state powers; as a body, it does not protest state policies. Individual priests, however, such as prominent Orthodox dissident Father Gheorghe Calciu-Dumitreasa, have been defrocked by their church as a result of their challenges of the church and state. Father Calciu was defrocked in 1984 by the Bucharest Diocesan Consistory because of "his disobedience and insubordination to the ecclesiastic authority and his infringing the regulations in force in the Orthodox theological schools." Father Calciu had been in prison since 1979, serving a 10-year sentence for charges which never were made public, but which probably relate to his support for SLOMR and ALRC. Father

Calciu was released from prison in August 1984, after serving 5 years. He then was placed under house arrest, and was allowed no contact with foreigners. Father Calciu finally was permitted to emigrate to the United States in August 1985.

According to Keston College, since fall 1985, several Orthodox priests have been removed from their parishes and threatened with defrocking by the church hierarchy. Most of the priests had been associated with the five priests who had written an open letter to the Orthodox Patriarch in February 1981, condemning the church's subservience to the Romanian regime. Recently, they have been harassed on account of their activity in the Lord's Army movement and their association with Uniates, or Catholics of the Eastern Rite, a group banned in Romania since 1948.

Alexandru Pop, a 39-year-old Orthodox priest from Banat, sent an open letter to the West in spring 1986. In that letter, he called for eight reforms affecting religious life in Romania: freedom of religion and conscience; a halt to anti-religious propaganda and dissemination of atheism in the media; freedom of religious instruction; noninterference in church affairs; a halt to church demolition and freedom to build new churches; and no more persecution of priests and believers.

The small evangelical Protestant sects are the chief targets of harassment by the Romanian authorities. Members of officially recognized denominations, including Baptists, Seventh Day Adventists and Pentecostals, are as susceptible to official persecution as members of such banned denominations as Jehovah's Witnesses, Christian Scientists and the Uniate Church. Pentecostals, Evangelical Brethren and unofficial Baptists are perceived as a particular threat to the state because of their insistence on the primacy of religious belief over state authority in moral matters. The Roman Catholic Church, which does not hold a charter but does nevertheless enjoy *de facto* recognition, is harassed from time to time.

Freedom of religion in Romania is closely bound to freedom of assembly. Romanian citizens must obtain official permission to organize or assemble. Attempts to gather independently for worship by members of officially recognized faiths are treated as "illegal assemblies," with participants sometimes arrested, fined and evicted from their homes. Unrecognized groups are forced underground by laws and extra-legal sanctions against unauthorized assembly.

Any group which holds meetings in homes—where neither the secular nor officially recognized church authorities can supervise their activities easily—is subject to particular scrutiny. For instance, the evangelically-leaning Orthodox break-away group known as the Lord's Army, banned in Romania since 1947, has been attacked in the Romanian press. Recently, authorities have levied fines on Lord's Army members in some sections of Romania for unauthorized meetings in private homes. Lord's Army leader Traian Dors was released in early 1983 after almost 6 months imprisonment for distributing Bibles illegally.

The nonrecognized churches are not allowed to hold services and are subject to severe penalties if they do. Participants in illegal services even of officially recognized denominations often are arrested or fined on charges of illegal assembly or disturbing the peace. Believers who act beyond the circumscribed limits on reli-

gious expression set by the regime are denied promotion, disqualified from school entrance exams, or otherwise harassed. Ilie Neamtu, of the Open Brethren Church in Ploiesti was arrested in August 1985, and held for months without charges being disclosed. Sentenced originally to 4½ years in prison for involvement in unauthorized use of socialist property, Neamtu saw his sentence increased to 7½ years, then reduced under the terms of the June amnesty to the original 4½ years. Neamtu was released finally in November 1986 after an appeals court ruled that the original charges against him were incorrect. Probably he was persecuted for organizing unofficial evangelistic meetings for his fellow workers and for his successful work and close ties with Romanian Christian youth.

In the summer of 1985, articles in government periodicals attacked Romanian Nazarenes and Jehovah's Witnesses. In December 1985, *Scinteia Tineretului*, the organ of the Communist Youth League, offered a sharply worded report on a Jehovah's Witness who sought to proselytize two neighboring children; the daily returned to the case in its March 1986 issue to drive home the point that proselytizing would not be tolerated in Romania.

The Romanian State Department of Cults controls religious affairs in the country. Among other duties, it controls the importation or printing of religious materials, including Bibles, issues licenses to preach, subsidizes clerical salaries, approves permits for church construction or renovation, establishes the number of new admissions to seminaries, and in general ensures the churches' "respect of legality." All of these are areas of friction between believers and the state.

The shortage of Bibles (particularly the "Cornilescu," or Baptist, Bibles) in Romania causes problems for believers as they try to compensate. Circulating unofficial publications, including Bibles, has been illegal in Romania since 1974. Constantin Sfatcu was arrested in April 1985 when he was found with approximately 600 Bibles that had been smuggled in from the West. Sfatcu was sentenced to 7½ years for "attempted murder" of the arresting police officer. His term later was reduced to 4½ years when he was convicted on appeal of "assaulting a police officer." Elisei Ruse, Cornel Mich, Nicula Levi and Ilie Docu, members of the Open Brethren Church, were convicted in September 1985 for distributing Bibles and other religious literature and sentenced to 10 to 12 months of Socialist labor. All of these "Bible smugglers" were freed in the summer of 1986, before completion of their sentences. Sfatcu was allowed to emigrate.

Bibles in minority languages also are in very short supply. No Hungarian- or German-language Bibles or religious materials have been published in Romania since World War II. In a 1985 incident that was publicized highly outside of Romania, Dr. Alexander Havdтой of the Hungarian Reformed Church in America produced evidence that a shipment of Hungarian-language Bibles from the U.S. Hungarian Reformed community destined for ethnic Hungarian worshipers in Transylvania had been turned into toilet paper at a Romanian paper and pulp mill in Braila. German Bibles, while in short supply, do find their way into Romania from the Federal Republic of Germany.

In the fall of 1986, Romanian authorities announced that they will allow 5,000 Cornilescu (Baptist) Bibles to be printed by the end of the year, and several thousand more during each subsequent year. The announcement signalled that the Romanian authorities will grapple with the Bible problem, which has long disturbed both Romanian and foreign believers.

The Department of Cults is in charge of licensing pastors. It can punish errant prelates by withdrawing their licenses. The shortage of Baptist pastors who have completed the seminary training approved by the Department of Cults has created pressure on congregations to engage pastors who have not gone through formal seminary training. Lack of seminary training is a further, technical excuse for the Department of Cults to refuse to license clergymen whom it deems suspect.

The two pastors of the Oradea Baptist Church, Europe's largest, waited for over 3 years to receive their licenses. During this time, Nicolae Gheorghita and Paul Negrut faced prosecution for preaching without having completed formal seminary training. The Department of Cults refused to accredit them if they had not completed the requisite courses. Signalling that the true reason for the long delay was hardly technical, but rather political, the Department of Cults offered legal recognition to the pastors in the fall of 1984, in spite of their continued lack of licenses, in return for their pledge to work in different parishes. The two pastors turned down the offer. They finally received their licenses in the spring of 1985 and continue to preach at Oradea.

Activist Baptist pastor Petre Dugulescu began work as pastor of a Timisoarea Church in March 1986, but had to continue living 110 miles away in Hateg, because the Baptist Union had not yet approved his transfer to the church. Representatives of the Department of Cults and the Baptist Union have sought to persuade Dugulescu to withdraw from the Timisoara Church, which is located close to the Romanian border with Hungary and Yugoslavia and thus is considered by authorities to be a particularly sensitive area.

Unlicensed activist pastors belonging to officially recognized denominations such as Gheorghita, Negrut and countless others, are subject to harassment through legal investigations of embezzlement (article 223 of the Penal Code), parasitism (Council of State Decree 153), and "having possessions in excess of explainable income" (Law 18/1968). Also, occasionally unlicensed clergymen are denied residence permits in "closed cities," such as Bucharest and many other large urban areas, where authorities are seeking to keep population growth down. Unlicensed Baptist pastors leading dissenting factions of recognized faiths have been harassed in recent years.

Licensed prelates likewise can be prevented from performing their church functions by other, bureaucratic means. Bunian Cocar, pastor of a Bucharest Baptist Church since 1982, although licensed and under contract to the church, never succeeded in obtaining a Bucharest residence permit from local authorities. In June 1985, in the middle of a confrontation Cocar provoked over new church construction, authorities ordered him to leave Bucharest with his wife and terminally ill mother.

One area of Romanian policy that particularly has incensed many believers both inside and outside Romania concerns the

upkeep of churches. Some congregations still await government approval for repairs on churches damaged or destroyed during the 1977 earthquake that devastated many areas in Romania. Congregations often suffer long delays in receiving permission to undertake renovations or extend their churches. Churches have been razed during urban renewal campaigns and, in some cases, when their construction has violated building codes and zoning regulations. In some, but not all cases, congregations are offered replacement accommodations.

For example, in November 1984, Bistrita-Nisaud Baptist Church was destroyed after the church leadership knowingly violated building codes. The Baptist Churches in Resita and Bistrita also were demolished in 1983 and 1984. In June 1984, a Pentecostal Church in Tirgu Mures, with a congregation of 500, was demolished to make way for a new block of apartments. In September 1984, the "Number Two" Baptist Church in Oradea was given 4 weeks' notice that its building was to be demolished. Church leaders and congregants stood firmly in opposition to the demolition and won assurances that the building would be safeguarded until an agreement could be reached on a new building. The situation still is in flux: the church has received permission to rebuild, but has been told first that the new church must be the same size as the old one, and second, that it must be even smaller. The church has protested that the state's solution is unacceptable, since it claims that its congregation has grown. Reportedly, at least four Baptist Churches have been destroyed entirely, one has been destroyed partially and six are under threat of demolition. One congregation got a replacement building for its demolished church, and negotiations are under way to find new accommodations for several of the churches under threat of demolition. Despite frictions between secular authorities and groups of believers, some 600 Baptist Churches function in Romania.

The Baptist Churches are not the only targets of demolition in Romania. While most of the Baptist Church demolitions are due to "building code violations" and "zoning laws," other churches—including some of considerable historical and cultural, as well as religious value—have been razed because they lie within areas targeted for modernization. The Orthodox Church is by no means immune. In Bucharest alone, 14 historic Orthodox Churches and monasteries have been moved, partially dismantled or destroyed during the present urban renewal campaign. A majority of these churches and monasteries were located in the sector of Bucharest being razed to allow construction of a huge "House of the Republic," which will house the Communist Party Central Committee and the Council of State, and the "Victory of Socialism Boulevard." The demolition campaign has provoked considerable protest from Romanians, some of whom have refused to carry out orders to demolish historic religious buildings. Yet the Orthodox Church has publicly, at least, not chosen to protest the demolitions.

Individual Orthodox priests, however, have protested the regime's actions affecting Orthodox places of worship. In Alexandru Pop's aforementioned letter to the West, he pointed out that aside from historical value, the buildings which are being torn down had provided essential services for Orthodox believers: "(I)n large areas

... no bells ever toll, and Romanians have no proper place to marry, baptize their children or mourn for their dead."⁴

Most recently, in late July 1986, the last remaining Sephardic synagogue in Eastern Europe, Bucharest's Spanish Synagogue, was demolished along with a Jewish old-age home over the protest of the Romanian, American and other Jewish communities, as well as several governments. An Adventist Church central to the country's Adventist community was bulldozed in August 1986 after a stand-off between the demolition crew and worshippers occupying the building; in early September authorities promised the congregation a new building to replace the temporary quarters turned over to it in August.

In 1984, authorities promised several denominations, including Baptists, places for additional students in seminaries. The number of places still remains far below demand. For the first time in several years, in the fall of 1984 the Baptist Theological Seminary in Bucharest had 10 new students enrolled for the 4-year program. Ten more students followed in 1985, and 10 were expected to be accepted for each new session in the following years. Ten were admitted also to the Protestant seminary in Cluj, where Reformed, Lutheran and Unitarian prelates are trained. Two Catholic seminaries operate in Romania, but these have been forced to accept lower numbers of new students. In 1985, 20 students—of 120 who had applied—were accepted to start their training for the priesthood in these seminaries.⁵

Today 19,000 to 24,000 Jews remain in Romania. The majority are elderly. They are the remnants of a pre-war population of over 1 million which suffered tremendous losses during World War II and the postwar emigration of over 380,000 Romanian Jews to Israel. In spite of dwindling numbers, the Jewish community of Bucharest has maintained its own community center, nursing home, religious schools, newspaper and a kosher restaurant.

Some instances of officially tolerated anti-Semitic provocations have taken place during the period under review. In July 1983, the literary journal *Saptamina* published a rabidly anti-Semitic poem by Corneliu Vadim Tudor, who had written a similarly anti-Semitic article in 1980 as well. In 1984, one of the state publishing houses reprinted a 19th century work with strong anti-Semitic references. However, on some occasions President Ceausescu has responded to internal and external pressures to distance himself from these anti-Semitic occurrences.

ECONOMIC AND SOCIAL RIGHTS

Romania's notorious austerity regime has attracted fascination and contempt from foreign observers. The regime has succeeded in cutting significantly its total foreign debt from over \$10 billion in 1981 to \$6.6 billion in 1985. The program reduces Romanian citizens to subsistence on minimal nourishment. Not only energy but food supplies and other necessities of life have been in very short supply, ever since imports of these products were curtailed sharply and rationing was instituted in 1980.

^{4 5} See footnotes on p. 233.

Energy "conservation" began in 1979, and energy use has been cut drastically since then. In 1982, domestic energy consumption was cut by 20 percent; it was cut by 50 percent the following year and again in January 1985. Domestic energy consumption in Romania in winter 1984-85 reached only one-fifth the 1981-82 amount. Yet energy supplies to industry were cut back officially for the first time only in 1985. In October 1985, President Ceausescu announced a state of emergency in Romania's powerplants and charged the military to take over that sector of the economy. Romanians live with ever decreasing light and heat. Teams of citizens watch their neighbors to ensure their compliance with the harshly reduced energy consumption.

In September 1983, authorities enacted a law termed the Global Agreement. The law eliminated guaranteed minimum wages. Now workers must sign a contract which amounts to a pledge of productivity. This pledge ties workers' salaries to the enterprises' production rather than their own productivity; salaries are lowered if production targets are not met.⁶ Workers' livelihoods are dependent on the performance of entire enterprises.

Also, in the same year the regime instituted a wage system requiring workers to stay at a new job for at least 5 years or suffer financial consequences. During this time, the worker draws only half a salary (the other half is deposited in a state savings bank without interest; if the worker leaves the enterprise before the end of the 5-year period, he or she loses the savings as well as part of his or her pension.)⁷

Western analysts expected that the overall effect of the Global Agreement would be to bring down workers' real incomes. However, as expected, there has been no known protest against the agreement. The proposed goal of the new wage system was to enhance labor stability. But stability is severely threatened by other official measures to maximize proceeds earmarked to payoff the foreign debt.

In January 1984, Romanian authorities announced a program which squeezes the private agricultural sector to supplement the unsuccessful socialized agricultural sector to the greatest extent possible. Every private plot must produce a defined minimum quota. If farmers fail to comply with this stated quota they can lose their land to the socialized sector. The *Journal of Commerce* reported in November 1983 on "visible [Romanian] Government efforts" to bring people back to rural areas to work the land only shortly after having drained the countryside of manpower for huge industrial projects in the cities which cannot be operated profitably.⁸

In September 1985, President Ceausescu announced a new program to move some pensioners from big cities to rural areas. Reportedly, the program has not yet been initiated, but officials have been refusing permission to pensioners who seek to move to the city to live with their children.

^{6 7 8} See footnotes on p. 233.

ETHNIC RIGHTS

Article 17 of the Romanian Constitution guarantees members of national minorities the same rights as other Romanians. In theory, minority members are assured "the free use of their mother tongue, as well as . . . books, periodicals, theater and education at all levels" in their own languages. Romanian practice of the past several years belies this theoretical safeguarding of minority rights.

The style as well as the focus of Ceausescu's campaign for legitimacy bode ill for the continued development of minority culture in Romania. His brand of rabid nationalism, which often is directed against the surrounding states and their populations, impinges directly on the ability of Romania's minority communities to transmit their culture and maintain communications with citizens of their ethnic homelands. They are increasingly unable to obtain education in minority languages and history from the elementary to the most advanced levels and to maintain contact with their ethnic homeland either through personal contacts, mail or exchanges of publications. Romania's educational and cultural policies reflect an attempt to assimilate the minorities into Romanian society and cut off expression of their ethnic heritage.

In August 1984, the Council of Europe Parliamentary Assembly issued its "Report on the Situation of Minorities in Romania." That report stated, in part, "(M)inority groups in Romania often say that they live under a double burden: the burden of repression in a totalitarian state and the burden of discrimination stemming from Romanian chauvinism and 'Romanisation.'"⁹

Twelve percent of Romania's population of approximately 23 million are members of ethnic minorities. An estimated 1.7 to 2.4 million Romanian citizens are ethnic Hungarians; they are concentrated in Transylvania, a region long contested between Hungary and Romania, and constitute the largest minority group in Eastern Europe. The Germans, the second largest minority group with a homeland outside Romania, number between 270,000 and 363,000.

The regime has shifted populations of ethnic Romanians into heavily ethnic Hungarian cities and areas purportedly as part of the official campaign to maintain even economic development throughout the country. Hungarian high school and university courses and Hungarian-speaking professors are being replaced by Romanian courses and professors. Hungarian-language educational opportunities at Cluj University have been reduced sharply. In June 1985, the *London Times* reported that a new decree had been passed to limit the number of Hungarian-speaking students at the University of Cluj to 5 percent of the student population. Major library collections dealing with minority history have been made almost inaccessible to ethnic research scholars. Minority-language publications and other media have been merged, purportedly solely in the interests of conserving short supplies. One prominent ethnic Hungarian observer estimated in 1984 that the number of Hungarian-language books published in Romania had shrunk to one-third the number published in 1950.¹⁰

⁹ ¹⁰ See footnotes on p. 233.

Several ethnic Hungarian political prisoners have been incarcerated in Romania since 1983. Erno Borbely, a school teacher, and Laszlo Buzas, an engineer, were sentenced to 6 years in prison for treason. Both men had protested the appearance of anti-Hungarian publications in 1982. Bela Pall, a retired school teacher, likewise has been imprisoned since 1983 on undisclosed charges. Amnesty International received reports that he was imprisoned for sending a letter to Romanian media requesting more Hungarian-language programming and for attending the funeral of prominent poet Gyula Illyes in Hungary. Allegedly he is being held in a psychiatric ward.

In the summer of 1984, Father Janos Csilik, a Roman Catholic priest in Oradea, was beaten for refusing to cooperate with the *Securitate*. Apparently the *Securitate* was investigating his relations with Attila Ara-Kovacs, an ethnic Hungarian Roman Catholic philosopher who had been one of the editors of the Transylvanian *samizdat* periodical, *Ellenpontok*, before his emigration to Hungary in 1983.

The most visible minority rights activist in Romania, ethnic Hungarian poet Geza Szocs, emigrated to the West in August 1986 after a long struggle with Romanian authorities. Szocs had been one of the editors of *Ellenpontok*. In 1984, he submitted a proposal to the Romanian Communist Party Central Committee pressing the regime to correct abuses of minority rights. Szocs also sent a memorandum to the United Nations suggesting creation of a subsidiary agency to protect minority rights and a letter of protest to the CSCE Budapest Cultural Forum in October 1985.

Ethnic Germans continue to emigrate in large numbers—ranging from about 11,500 to about 14,800 from 1982 through 1985—to the Federal Republic of Germany. As the German population in Romania decreases, the number and range of services to the community are diminishing. German-language as well as Hungarian-language schools are being closed down or turned over to Romanian-language teaching, and fewer German-language teachers are being trained. Likewise, German studies in Romania progressively are being curtailed. Television broadcasts both in German and Hungarian ceased as of December 1984. Romanian and German language radio programs have been reduced to 30 minutes each day. However, several German-language dailies continue to be published in Romania.

Eastern Europe's largest Gypsy population makes its home in Romania. Numbering about 500,000, Romanian Gypsies are not only an unassimilated national minority but also an underclass. No detailed reports of discrimination against Gypsies by Romanian authorities have been received. However, as elsewhere all over Europe, Gypsies encounter prejudice and mistrust on the part of the majority population.

ROMANIA AND THE CSCE PROCESS

The Romanian Government has a significant political stake in the Helsinki process, but perceives CSCE as a means of furthering foreign policy and trade objectives rather than as a commitment to respect and protect the human rights and fundamental freedoms of

its own people. Nevertheless, the CSCE process affords the United States and other Governments useful opportunities to raise human rights concerns with Romanian officials and to focus international attention on the continuing problems. The Madrid Review Meeting on the CSCE, for example, served as a major forum from which in early 1983 the United States and other Western Governments protested the Romanian education tax on prospective emigrants.

The second United States-Romanian bilateral human rights roundtable took place in Washington in February 1984, following up on the 1980 United States-Romanian human rights roundtable in Bucharest. The roundtable meeting took place in accordance with a provision of the Madrid Concluding Document urging that participating States voluntarily meet bilaterally "to discuss issues of human rights and fundamental freedoms in accordance with an agreed agenda in a spirit of mutual respect." The topics discussed included freedom of religion and expression, rights of national minorities, rights of workers to establish and join free trade unions, free availability and exchange of information, cultural and educational exchanges, freedom to emigrate, and future human rights meetings in the CSCE process. They also focussed on concrete instances of treatment of prisoners of conscience, the appearance of anti-Semitic publications in Romania and harassment suffered by prospective emigrants. The 1984 roundtable played an important role in bilateral human rights diplomacy by signalling U.S. concerns to the Romanian authorities early on and focussing attention on Romanian human rights abuses well before the most-favored-nation status review season in the summer.

The Romanian delegations to three of the intermediary experts' meetings held since Madrid—at Ottawa, Budapest and Bern—have proved willing to meet frequently on a bilateral basis with the U.S. delegation to discuss both specific cases and broad principles. Just after the close of the Bern Meeting, the Romanian Government announced that 1,092 family reunification cases had been resolved in 2 months.

SOVIET UNION

INTRODUCTION

With Yuri Andropov's ascension to power in November 1982, repression against human rights activists intensified noticeably, and despite occasional cosmetic measures, has continued to this day.

New Soviet laws and regulations

In recent years, the Soviet Government has introduced a battery of repressive new laws and regulations. These new laws fly in the face of the Madrid Concluding Document pledge that domestic laws enhance human rights and fundamental freedoms. On the contrary, this wide range of repressive new Soviet laws is an important indicator that the Soviet Government does not take its Helsinki and Madrid human rights pledges seriously.

Definitions of such major categories of political "crimes" as "anti-Soviet agitation and propaganda" are broadened. Political prisoners are singled out for seemingly ever more strict controls,

before, during and after camp. These new laws sharply increase official Soviet penalties for independent views.

The Soviet population at large is reminded that unofficial contacts with foreigners are a risky business. The new law which sets heavy penalties for those who disclose to foreigners vaguely defined "work-related secrets" and the new regulations which penalize unauthorized acts of hospitality to foreigners make these risks abundantly clear.

The determination of Soviet authorities to eradicate dissent may be epitomized by a new law that allows courts to re-sentence dissidents in labor camps to new sentences for "repeated disobedience to the demands of camp authorities." At least eight human rights activists have thus been re-sentenced in camp over the reporting period.

Civil and political rights

The proclaimed "openness" policy of General Secretary Gorbachev has allowed Soviet citizens more leeway in criticizing isolated situations where economic and social performance have fallen short of proclaimed goals under "developed socialism." Nevertheless, critics—either from the left or right—who openly question the philosophical underpinnings of the Soviet economic system and the social problems it has engendered, continue to be repressed and imprisoned.

The best-known *samizdat* publication, the *Chronicle of Current Events*, apparently ceased publication in 1982. Nobel Peace Prize Laureate Andrei Sakharov remains in illegal exile in Gorky. There are presently 38 Helsinki monitors or members of associated groups in labor camp, prison, or internal exile. Conditions in the labor camps and prisons have worsened, and the reporting period saw the deaths of several well-known imprisoned human rights activists.

One of the most ominous developments over the reporting period in the authorities' treatment of human rights activists is an apparent decision to return to the use of physical force to discourage dissent, obtain confessions, and punish resisters in camp.

Although clearly not all deaths of dissidents or physical attacks on human rights activists on the street can be shown to be the work of the police and KGB, the strictures against physical abuse have been relaxed in favor of the attacker.

Cultural rights

Soviet cultural policy in the past few years seems to have followed the zigs and zags of the three Kremlin leaders. Yuri Andropov's brief rule saw a slight easing of cultural constraints. After all, Andropov was rumored to be an admirer of Yuri Lyubimov's famous experimental Taganka theater. Konstantin Chernenko, on the other hand, was an orthodox party man, and this orthodoxy was reflected in his cultural policies. Chernenko's brief tenure was characterized by a crackdown against "decadent" Western cultural influences, particularly in popular culture. Under Chernenko, Soviet cultural life regained the most stagnant features of the Brezhnev reign.

Mikhail Gorbachev seems to have taken his cultural cues from Andropov, as he presides over the limited liberalization of establishment culture. Signs of such tentative liberalization are: the staging of more lively plays, releasing previously banned films, and rejuvenating the leadership of Soviet artistic unions. Much of this may be part of Gorbachev's campaign for greater openness in Soviet society. An example is Gorbachev's unprecedentedly extensive—if misleading—reference to the existence of censorship in the U.S.S.R.

There are some indications that Soviet cultural policy may continue on a relatively liberal path: these include the recent elections in the Soviet Union of Writers and Union of Cinematographers; the softened official statements on Soviet artists who have opted to stay in the West; and the greater originality of recently released Soviet films and plays.

Despite these signs of modest liberalization, however, Soviet artists must play by the rules of the Soviet Party game. Evidence of this is all too easy to find: Dozens of Soviet cultural figures who have gone beyond official limits are now in prison. After all, the main aim of Soviet culture remains: to make official ideology more palatable to the Soviet population—not to open Soviet culture to genuine individual talent.

Social and economic rights

Soviet society has long suffered from major social ills—just as all societies do. Under Gorbachev's campaign for *glasnost* or publicity, the Soviet media has begun at least to discuss some of these problems. Alcoholism has been tackled as a major target of Gorbachev's efforts to increase efficiency. The price of vodka has been sharply increased. There is public pressure to imbibe less. Alcoholics and their families are urged to seek medical treatment.

Unlike other social and economic problems, alcoholism bears no ideological baggage. Other major Soviet problems, such as the inherently inefficient collectivized Soviet agriculture, are clearly connected to the Soviet political structure. Still other serious problems, such as increased mortality rates largely caused by deficient medical care, require increased funding. But increased funding for medicine, education, housing, or transport is impossible as long as the Soviet military sector takes up some 14 percent of the Soviet GNP.

The fate of Soviet citizens who independently have called attention to social, economic or labor problems remains grim. Organizers of independent labor unions have faced particularly harsh punishment which shows no sign of easing. Even Soviet war invalids who have asked for an improvement in their situation have not met with success. Ironically, many Soviet citizens currently are imprisoned for criticizing some of the same conditions which now the Soviet leadership is decrying.

National and ethnic rights

The nationality question has been described as the Achilles heel of the Soviet system. In the huge multi-national Soviet Union, tensions among national and ethnic groups are natural. Nevertheless, Soviet officials have usually portrayed the U.S.S.R. as a land of

perfect ethnic harmony and equality—though recent official Soviet writings on this issue are more candid, or at least acknowledge the complexity of the issue. But regardless of Soviet representations of the nationality question, Western scholars note that the official policy of the Soviet Government remains linguistic and cultural russification.

There are 103 nationalities represented in the 1979 all-union census, 22 of which have less than 1 million members, 49 with fewer than 100,000. Many of these ethnic minorities are Siberian peoples whose national cultures and languages were well on their way to extinction before the Bolshevik Revolution. Although the Soviet Government maintains regional ethnic museums, supports ethnic artistic ensembles, and devotes considerable energy to seminars and studies of ethnic minorities, their languages and cultures, one fact remains clear—ethnic heritage and culture is retained and promoted to the extent that the rule of Moscow is not threatened. Preserving the ethnic heritage of the approximately 13,000 Chukchis of Eastern Siberia presents no threat to the authorities' political hold on the Chukotsky Peninsula. Allowing 40 million Ukrainians the same leeway, with their rich cultural heritage and historical opposition to russification, is clearly not in Moscow's interest.

Religious rights

There has been no discernible improvement in the situation of religious believers in the Soviet Union since the last CSCE Implementation report. Continuing the post-1979 pattern, the rate of arrests of religious activists has doubled in recent years. According to Keston College, as of November 1986 there were 392 known religious prisoners of conscience in the U.S.S.R. Soviet laws on religion remain largely unchanged, despite a change in the legal status of religious groups as persons under the law. Discrimination against religious believers in daily life, accompanied by frequent attacks in the Soviet press, also continues.

The legal recognition that religious organizations are persons under Soviet law is a minor improvement which should ease their dealings with the Soviet authorities on some practical matters. Also, the Russian Orthodox Church has been granted better facilities in Moscow for holding conferences. In return, however, the Russian Orthodox hierarchy must be prepared to follow state dictates on matters of foreign and religious policies.

In the main, unfortunately, the situation of religious believers in the Soviet Union has not improved in recent years. In the post-1979 general crackdown on dissent of all kinds, Soviet religious believers have been imprisoned twice as often as previously. Whereas Soviet evangelical Protestants, particularly Baptists, are still arrested in large numbers, the Soviet authorities apparently have increased repression against Lithuanian Catholics and Russian Orthodox. More instances of Islamic *samizdat* and unofficial religious activity are now known in the West. Also in western Ukraine, a Ukrainian Catholic defense movement was organized for the first time. Although legalization of their church was one of its main demands, Soviet authorities continue to treat the Ukrainian Catholic Church as an outlaw.

NEW SOVIET LAWS AND REGULATIONS

In recent years, the Soviet Government has introduced a battery of repressive new laws and regulations. These new laws fly in the face of the Madrid Concluding Document pledge that domestic laws enhance human rights and fundamental freedoms. On the contrary, this wide range of repressive new Soviet laws is an important indicator that the Soviet Government does not take its Helsinki and Madrid human rights pledges seriously.

Definitions of such major categories of political "crimes" as "anti-Soviet agitation and propaganda" are broadened. Political prisoners are singled out for seemingly ever more strict controls, before, during and after camp. These new laws sharply increase penalties for independent views.

The Soviet population at large is reminded that unofficial contacts with foreigners are a risky business. The new law which sets heavy penalties for those who disclose to foreigners vaguely defined "work-related secrets" and the new regulations which penalize unauthorized acts of hospitality to foreigners make these risks abundantly clear.

On October 11, 1982, article 209 ("parasitism") RSFSR Criminal Code was amended to broaden its scope and to increase its penalties. The RSFSR Supreme Soviet Presidium decree now omits the word "systematic" from its description of the "parasitic way of life" for which a person is criminally liable. The maximum punishment for first offenses has been increased from 1 to 2 years, and for recidivists up to 3 years. Furthermore, a new form of punishment has been introduced: people can now be sent to an educational labor colony. The conditions in such colonies are set by special unpublished regulations.¹

These amendments to the "parasitism" law have special relevance for Soviet prisoners of conscience who may be charged for this "crime" and receive harsher sentences. At this point, there is no information available on any political prisoners who have been charged under this article.

One week after the Madrid Conference ended, the Russian Republic added to its criminal code article 188.3, "Malicious Disobedience of the Administration of Corrective Labor Institutions." Clearly violating Madrid Concluding Document precepts, this new law made prisoners' minor infractions of labor camp regulations a criminal offense.²

The decree, issued by the RSFSR Supreme Soviet Presidium on September 13, 1983, allows administrators of corrective labor camps and other penal institutions to charge inmates with "malicious disobedience to its lawful demands." A precondition for culpability is that the inmate had already been in solitary confinement or transferred to a regular prison during the previous year. Conviction can carry a maximum term of 3 or 5 years if the offense was committed by an "especially dangerous recidivist or person convicted of a grave crime."

^{1 2} See footnotes on p. 234.

Article 188.3 is directed mainly at political and religious prisoners who engage in protest and other prohibited activities. Such prisoners are frequently punished for failure to "reform." Many actions, which earlier had resulted in solitary confinement or denial of mail or family visits, are now punished with new terms of imprisonment. Such actions include arguing with the camp administration, sending messages out of camp (political statements or reports on camp conditions) or engaging in collective protests. (See Penalties section for examples of application of article 188.3.)

Article 198.2, passed at the same time, makes persons sentenced to unconfined corrective labor or internal exile liable for up to 3 years of imprisonment for evading administrative surveillance or for failing to report on time to the designated area of residence after release from confinement. Both articles came into force on October 1, 1983.

The incorporation of labor camp infractions into the Criminal Code puts inmates more at the mercy of camp commanders. The camp administration can now add a new term to a prisoner's sentence merely by initiating criminal charges, submitting a report on insubordination to the local prosecutor's office, and providing testimony at the trial. Thus, this new article provides authorities with a streamlined legal procedure (camp inmates no longer have to be summoned as witnesses) for adding a new term to prisoners' original sentences.

These two new laws provide for additional sentences for minor infractions. Previously, such infractions had been punished by solitary confinement, without the addition of new terms. In effect, these laws revive the Stalinist practice of creating a category of "Eternal Prisoners" subject to repeated re-sentencing. Prisoners of conscience who do not recant—and they are in the majority—are particularly liable for punishment under these two new articles.

In January 1984, the Soviet Government, then headed by Yuri Andropov, amended a law to tighten already harsh rules of order in the camps. Article 14.1 or "Actions Serving to Disorganize the Work of the Corrective Labor Organizations" was first passed in May 1961 to control the activities of professional criminals in the camps.

As amended on January 11, 1984, the law is now directed at political prisoners. A new paragraph specifies punishment of 3 to 8 years of imprisonment for "persons" (rather than "especially dangerous recidivists") charged with acts of terrorism. The amendment is probably intended to protect informers from reprisals by camp inmates and to punish prisoners for solidarity actions or organized opposition (joint protests, hunger strikes, written declarations) to the camp authorities.

Another action, which restricts the residence rights of political prisoners, was undertaken by the Soviet Government. According to Malva Landa, a Moscow Helsinki Group member, the U.S.S.R. Council of Ministers passed Secret Decree No. 736 on August 6, 1985. This decree bars from entry into Moscow and most towns in the Moscow area everyone refused a Moscow residence permit, including those denied this permit due to a previous conviction, and those tried for a previous offense, regardless of whether they have the right to acquire a Moscow residence permit. Only in emergen-

cies, such as a death in the family, may special permission to visit Moscow be granted by the local office of internal affairs.³

Other important amendments to Soviet laws on "state crimes" were passed in January 1984. The decree with these revisions to the December 25, 1958 law "On Criminal Liability for Crimes Against the State," was signed by Andropov on January 11, 1984. It strengthened and broadened provisions on treason, sabotage, anti-Soviet agitation and propaganda, and the transmittal of "work-related secrets" and economic data to foreigners.

The definition of "treason" was broadened to include acts threatening "state security." This change permits almost any political offender to be charged with treason, given vague Soviet definitions. The punishment of up to 15 years imprisonment plus 5 years exile or death remains unchanged.

Sabotage now includes any act "aimed at the mass destruction of people, the causing of bodily harm, or any other harm to health." While the charge of sabotage now appears applicable to aircraft hijackings which result in deaths, to political terrorism, or to responsibility for disasters, including major environmental pollution, the potential exists for abuse under this broad definition—as it was abused in the Stalin period. The penalty remains the same as for treason.

Anti-Soviet agitation and propaganda (the preparation, dissemination or possession of anti-Soviet literature) has been broadened to include "materials . . . in written, printed, or other form." This new formulation may permit the prosecution of the author or owner of any written or reproduced material, object or art form deemed "anti-Soviet" by the authorities. Now, mere possession of such material may be deemed sufficient grounds for prosecution.

At the same time, article 70 was amended to punish more severely (with camp terms of up to 15 rather than 12 years) people who have ties to foreign organizations or those "acting in the interests of such organizations." The new language can be applied against any Soviet citizen who receives support from abroad: independent writers who get payments from foreign publishers; beneficiaries of the Russian Social Fund to Aid Political Prisoners and Their Families; and refuseniks or religious believers who receive support from abroad.

The definition of state secret has also been expanded. "The Transmission of Information Constituting a Work-Related Secret to Foreign Organizations" (article 13.1), a new Criminal Code article introduced in January 1984, now includes the new notion of "work-related secrets." The "transmission or collection, with the aim of transmission to foreign organizations or their representatives, of economic, scientific-technical, or other information constituting a work-related secret by a person to whom this information was entrusted owing to service or work or to whom the information became known in any other way," may now be punished by up to 3 years imprisonment or up to 2 years correctional work. Similar actions resulting in significant material damage to state or social organizations may be punished by up to 8 years of imprisonment.

³ See footnote on p. 234.

Since other articles on state secrets were left in place, it seems clear that the intent of the new law was to discourage unofficial contacts between Soviet citizens and foreigners.

Article 13.1 reflects the traditional Soviet view that all information about the U.S.S.R. is a state secret unless it has been officially approved for release. This law applies equally to foreign diplomats, journalists, professors and business representatives in the Soviet Union to prevent contacts with Soviet citizens. The definition of "work-related secret" is so vague that anyone having contact with a foreigner might be liable. Furthermore, this law may serve as a convenient justification for denial of exit visas to those who have had access to such "secrets."

Another Soviet legal decree issued in 1984 also aims at discouraging contacts between foreigners and Soviet citizens. This decree, "Rules for Stay in the U.S.S.R. by Foreign Citizens or Stateless Persons," was issued on May 25, 1984 and was to go into effect on July 1.

The decree sets fines of 10-50 rubles for Soviet citizens who provide foreigners with "housing or means of transportation . . . or other services in violation of the established regulations. . . ." As is true of many other Soviet laws, the decree does not explain a reference to "established regulations." The ostensible purpose of the decree is to discourage Soviet citizens from inviting foreigners to spend the night in their homes without the required registration with the authorities or providing foreigners with other services, such as the use of a car or assistance in buying train or plane tickets.

As can be seen from these extensive revisions of a broad range of Soviet laws, the Soviet Government is far from heeding its Helsinki and Madrid pledges. In fact, these laws—which affect both political prisoners and ordinary Soviet citizens—are an important and incontrovertible indication of Soviet governmental intentions.

CIVIL AND POLITICAL RIGHTS

Principle VII of the Helsinki Final Act calls for respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. These freedoms include the freedom of thought, conscience, religion or belief. In the Madrid Concluding Document, the signatory states further pledge to promote and encourage the effective exercise of these rights and freedoms.

The principles of the Helsinki accords are basically reiterated in the Soviet Constitution of 1977 (article 29). Soviet spokesmen also claim that there is a continuing effort by their Government to expand human rights for Soviet citizens. With regard specifically to civil and political rights, article 50 of the Constitution guarantees citizens the right to "speech, press, assembly, meetings, street processions, and demonstrations." But article 50 is also prefaced by a phrase that limits its guarantees: "In correspondence with the national interest, and with the goal of strengthening and *developing the socialist system . . .*" (emphasis ours) This caveat does not precede the other "rights" proclaimed by the Soviet Constitution: the right to work, health care, vacations, old-age security, etc. In

effect, there are no rights for anyone whose "speech, press, assembly, meetings, street processions, and demonstrations" can be judged by the authorities to threaten the Socialist system, that is, the rule of the Kremlin.

Among the laws most frequently employed by Soviet authorities to combat the effective exercise of civil and political rights are: article 70 of the Criminal Code of the Russian Soviet Federated Socialist Republic (with corresponding laws for the 14 other Republics) concerning "anti-Soviet agitation and propaganda;" article 190-1 on "dissemination of slander against the Soviet political and social system;" and article 190-3 on "illegal assembly." Other laws, while not specifically targeted against civil and political liberties, are also employed to repress their exercise. These include: "resisting lawful authority," "infringing on the life of a police officer or voluntary police auxiliary," "violation of the passport system," "violation of the rules of administrative surveillance," "hooliganism (disorderly conduct)," "parasitism" and possession of drugs or firearms, to name but a few.

Soviet Helsinki groups

By September 1982, Soviet authorities had succeeded in repressing the public activities of the five independent Soviet Helsinki monitoring groups that were formed after the signing of the accords, along with most of the activities of affiliated groups that dealt with specific human rights concerns. This has not prevented many members from continuing their protests from behind barbed wires and prison walls.

As of December 1986, there were 38 members of Helsinki monitoring groups imprisoned in the Soviet Union and Lithuania (see Appendix). The latest monitors to be sentenced were Tenghiz Gudava and Emmanuel Tvaladze, members of the renascent Georgian Helsinki group. The Georgian group had been founded in January 1977, but was soon forced into inactivity by repression and arrests. The group reorganized in 1984 and issued three or four documents. Gudava and Tvaladze were also members of the "Phantom" musical group which had attempted to organize a concert in honor of the Ottawa Human Rights Experts Meeting of spring 1984. Tried in June 1986 on "anti-Soviet agitation and propaganda" charges, Gudava received 7 years strict regime camp and 3 years internal exile; Tvaladze, 5 years strict regime camp and 3 years exile. Other members of the group sentenced since the last reporting period included Tenghiz Gudava's brother, Eduard, who was sentenced to 4 years in labor camp in November 1985 for "hooliganism" as a result of his attempts to emigrate. Valentina Pailodze, was sentenced on May 25, 1983 to 8 years strict regime camp and 3 years internal exile for "giving bribes." Merab Kostava, who had been sentenced in 1981 to 5 years for "hooliganism" while in camp, was re-sentenced in June 1985 to 2 more years camp for "repeated disobedience of the demands of camp authorities." Two members of the Georgian group, the brothers Isai and Grigory Goldshtein, were allowed to emigrate in early 1986.

The Ukrainian Helsinki Monitoring Group lost three of its members serving labor camp terms in the "special regime" zone of Perm Camp No. 36. Oleksy Tykhy died of malnutrition in May

1984, Yuri Lytvyn apparently committed suicide in late August 1984, and Vasyl Stus' succumbed to poor health and deplorable camp conditions in September 1985. Moscow Helsinki Monitor Anatoly Marchenko died at Chistopol Prison in early December 1986. Joseph Zisels, one of the few Ukrainian monitors at liberty when the previous report was published, was sentenced in April 1985 to 3 years strict regime camp for "dissemination of slander against the Soviet political and social system." A few days prior to his release from camp, Mykola Horbal was re-sentenced to 8 years in strict regime camp and 3 years internal exile for "anti-Soviet agitation and propaganda." Another Ukrainian monitor arrested shortly before release from camp and sentenced anew is Olha Heyko, who received 3 years strict regime in November 1983 for "dissemination of slander." In a sign of solidarity with their fellow political prisoners, Lithuanian monitor Viktoras Petkus and Estonian human rights activist Mart Niklus joined the Ukrainian group in 1983. Niklus was transferred by court ruling in 1983 from the political prisoners' camp at Perm to the more arduous conditions of the Chistopol Prison. The Ukrainian newspaper "Prikarpat'skaya Pravda" published a supposed recantation by Father Vasily Romanuk in February 1983. Two other Ukrainian monitors, Ivan Solusky and Oles Berdnyk, recanted in 1984.

One of the three remaining Moscow Helsinki Monitors at liberty when the previous report was published, Dr. Elena Bonner, was sentenced to 5 years internal exile for "dissemination of slander against the Soviet political and social system" in August 1984. She was exiled to the city of Gorky, where her husband, the well-known human rights activist and Nobel Laureate, Dr. Andrei Sakharov, has been exiled since January 1980. Dr. Bonner was permitted to visit the West for 6 months in early 1986 for medical treatment. Just prior to her release date in May 1985, Tatyana Osipova was arrested in camp and re-sentenced to 5 years strict regime camp for "repeated violation of the demands of camp administrators. (Article 188-3). Helsinki Monitor and former political prisoner Vyacheslav Bakhmin was arrested for "hooliganism" in March 1985 and sentenced to a year's corrective labor without confinement but with a 20 percent reduction in pay. After having served almost 9 years of a 13-year sentence, Anatoly Shcharansky was exchanged on February 11, 1986 for four East Europeans being held in the United States on espionage charges.

The founder of the Armenian Helsinki Group, Eduard Arutyunyan, died while serving a camp term for "dissemination of slander," having been arrested in November 1982. Another Armenian monitor, Shagen Arutyunyan, was allowed to emigrate in 1985.

Ona Lukauskaite-Poskiene, the only member of the Lithuanian Helsinki group whom the authorities had allowed to remain at liberty (probably due to her advanced age), passed away in December 1983. Also in December 1983, Eitan Finkelstein, a founding member who reportedly resigned from the group in 1979, emigrated to Israel.

After the Lithuanian Helsinki Group was forced into inactivity by Soviet authorities, much of its work was continued by the Catholic Committee for the Defense of Believers. Founded in 1978, "the committee became a highly effective forum for dissent in Lith-

uania," issuing 53 documents, the last one dated January 31, 1983. Two of its most outspoken members, Fathers Alfonsas Svarinskas and Sigitas Tamkevicius, were sentenced in 1983 for "anti-Soviet agitation and propaganda." Svarinskas was given 7 years strict regime camp and 3 years internal exile, while Tamkevicius received 6 years camp and 4 years exile. Father Vaclovas Stakenas, was physically attacked by unknown assailants on August 22, 1985. Another member, Father Juozas Zdebskis, died under suspicious circumstances in an auto accident in February 1986. In April 1984, the Chronicle of the Catholic Church reported that the Committee had officially gone underground. As of this writing, only three known members remain at liberty.

The Initiative Group for the Rights of the Disabled, another group affiliated with the Helsinki Monitors, continued to put out documents on behalf of handicapped persons in the Soviet Union as late as December 1985. One of its members, Vasily Pervushin—seriously wounded in World War II—was placed under involuntary psychiatric detention for an indefinite term in November 1983.

Two members of the Working Commission on Psychiatric Abuse remain in confinement. One of them, Anatoly Koryagin, was re-sentenced in November 1985 to an additional 2 years labor camp for alleged "resistance to camp authority." Irina Grivnina, another member of the Working Commission, was allowed to emigrate to The Netherlands in November 1985.

September 1982 saw the establishment of the Action Group for the Defense of the Rights of Believers and the Church, a Helsinki-affiliated group devoted to securing legalization of the Ukrainian Catholic (Uniate) Church. The official position of the Soviet Government is that the Ukrainian Catholic Church is "nonexistent in our country." As of 1986, the group had released at least 10 documents describing repression not only of Ukrainian Uniates, but of members of other denominations as well.

In April 1986, it was reported that an "Estonian Helsinki Group" had released its first document. It is said to contain demands that nuclear arms be abolished, troops be removed from foreign soil, and political prisoners be released.

Anatoly Cherkasov, who attempted to found a Helsinki Monitoring Group in Shevchenko in 1977, has been periodically placed in psychiatric hospitals over the reporting period (August 1984-January 1983, late 1984, and July 1985). He is apparently at liberty at this writing.

In Voronezh, RFSFR, three persons were sentenced to up to 3 years labor camp in mid-1982 for distributing strike literature signed by the "Voronezh Helsinki Committee."

Independent peace groups

The "Group to Establish Trust Between the U.S.S.R. and the U.S.A." continues to exist fitfully, though it is repressed and depleted by forced emigration. It is kept partially afloat by support from disarmament groups in the West, and by the determination of its members to eschew open political confrontation with the authorities. As the number of supporters has grown, the "Group for Trust" has issued appeals for support of fellow pacifists abroad, invitations to visit Moscow, and messages to international organiza-

tions. Besides the original Moscow group, documents also emerged from similar organizations in Odessa and Akademgorodok. The group's opening "Appeal to the Governments and People of the U.S.S.R. and the U.S.A." of June 4, 1982 was signed by 89 persons. By May 1983, according to founder Batovrin, the group consisted of 16 members and 900 sympathizers in 12 Soviet cities. At approximately the same time, a group of younger pacifists calling itself "Free Initiative" had issued an appeal to American young people calling upon them to support unofficial contacts between average citizens of the two countries. Two years later, there were "Trust Groups" in Leningrad, Riga, Tallinn, Rybinsk, Gorky, Novosibirsk and Odessa.

In response to virulent criticism of its work, the group asserts that it never criticized, but "has rather supported the Government's peace initiatives and has never violated any Soviet laws." Nevertheless, the Soviet Government's approach to the independent peace initiative has been to label the group's activities as "provocative," and to crack down with measures ranging from petty harassment in most cases to severe repression. Grigory Lokshin, secretary of the official Soviet Peace Committee, has referred to independent peace marchers in the Soviet Union as "drunks, anti-socials, provocateurs working for the CIA." In July 1984, Evgeny Silin, deputy chairman of the Soviet State Committee on Security and Cooperation in Europe, told a disarmament assembly in Italy that "public opinion and official opinion are the same in our society. They are always the same. We have ways of establishing this link." Some members, including Batovrin, have been expelled from the country or allowed to emigrate. Others have received 15-day jail sentences on trumped-up "hooliganism" charges, compulsory psychiatric confinement, or lengthy prison camp sentences.

As popular support for the movement widened, independent "peaceniks" attempted to gather signatures from sympathetic Soviet citizens on the street. In one particularly notable case, five independent activists collected 300 signatures in May 1984 calling upon the Governments of the U.S.A. and U.S.S.R. to resume arms talks. As a result, they were picked up by the police and taken to a local police station. Four were detained until midnight and one sentenced to 15 days for "hooliganism." For attempting to help organize a "peace march" in August 1984 to commemorate the victims of Hiroshima, long-time human rights activist Kirill Popov was placed in a psychiatric facility for 3 months, and in the following year received 6 years strict regime camp and 5 years internal exile for "anti-Soviet agitation and propaganda." One week later, when around 50 members of the group met to hold a seminar on Hiroshima Day, it was broken up with a comment by police that "We'll create such a Hiroshima for you that you'll envy the victims of Hiroshima." When two other pacifist groups, "Independent Initiative" and "The Group of Good Will," staged anti-nuclear and pacifist demonstrations totaling around 500 persons in three separate Moscow locations on June 1, 1984, not only were several demonstrators detained by police, but also some passers-by. One year earlier, when a similar demonstration was held in Tsaritsino Park, about 200 persons were detained by the police.

Following the 1983 demonstration, the "Independent Initiative" founder Yuri Popov was placed in psychiatric confinement, and as of March 1985, was reported to be at the Special Psychiatric Hospital in Smolensk. Another member of Independent Initiative, Yuri Troyansky, was also placed under psychiatric care, and subjected to sulfazine treatment as a form of punishment.

Olga Medvedkova and her husband Yuri have been active members of the "Group for Trust" since its inception. In August 1982, they hosted an art exhibit in memory of the victims of Hiroshima featuring 88 works by Sergei Batovrin. The exhibit was raided by the KGB and the paintings confiscated. In May 1983, when Olga Medvedkova accompanied four British women anti-nuclear activists to a meeting with representatives of the official peace committee in Moscow, the latter became enraged and called Ms. Medvedkova's presence a "provocation" and "unfriendly act." Ms. Medvedkova was eventually (December 1983) brought up on charges of "threats or violence against a representative of authority" in connection with her attempt to attend the trial of another Trust Group member, Oleg Radzinsky. She was convicted in March 1984, and given a suspended sentence of 2½ years. On June 22, 1985, four women from the Greenham Common encampment were blocked by Soviet police from entering the Medvedkovs' apartment while visiting the Soviet Union. On the eve of the 27th Communist Party Congress in February 1986, Yuri Medvedkov wrote an appeal to that body calling for the following resolutions: (a) on the impropriety of crushing peaceful initiatives by ordinary citizens with the club of authority and (b) on the harm caused by police stupidity—"their blind obedience which undermines (our country's) peace policy by declaring the ideals of the "Trust Group" to be prohibited. . . ." Further in his message, Medvedkov describes one of the myriad incidents of physical violence perpetrated by the authorities against peace activists:

N.G. Kovalenko, a woman artist, was savagely beaten the evening of 4 February 1986 right in front of my wife and me, on the stair landing outside our apartment. We saw Kovalenko attacked, about 9:15 p.m., by four people in civilian clothes and one uniformed policeman on duty whom they summoned. Kovalenko was flung up against the wall and knocked to the floor and then yanked bodily into the elevator, over our protests. As she told us later, those in civilian clothes pounded her head against the wall in the (police station) room. As a result, N.G. Kovalenko spent 7 days in Botkinskaya Hospital where she was brought with a brain concussion.

In June 1986, the Medvedkovs were fired from their jobs at the Institute of Geography of the Academy of Science. When they attempted to protest against this action publicly, they were detained by police. During the July 1986 "Good Will" games in Moscow, Yuri Medvedkov was arrested and sentenced to a brief jail term for "hooliganism." The Medvedkovs have since been allowed to emigrate to the West.

Another member of the group, Alexandr Shatravka, was released from labor camp in June 1986 and allowed to emigrate, apparently

as a result of protests on his behalf by anti-war activists in the West. Shatravka, who had sought to emigrate for several years and spent 6 years in psychiatric confinement for his efforts, had been arrested (along with a fellow worker named Vladimir Mishchenko) in 1982 in Tyumen Oblast for collecting signatures under the "Appeal" of the Trust Group. He was sentenced to 3 years for "dissemination of slander," and an additional 2½ years for alleged drug possession while in camp in January 1985.

In mid-September 1986, another independent peace activist and political prisoner, Dr. Vladimir Brodsky, was released from prison and allowed to leave for the West. Brodsky is a founding member of the "Trust Group" and a refusenik who was sentenced on August 15, 1985 in Moscow to 3 years labor camp for "malicious hooliganism" and for allegedly beating up several members of the voluntary auxiliary police.

Larisa Chukaeva, wife of social-democrat political prisoner Alexandr Chukaeva, had been conducting "duplicate" peace seminars in her apartment for young persons who had been denied access by police to the regular seminars. As a result, custody of her 3-year-old child was taken from her by court order, and she was subsequently sentenced to 3 years labor camp in May 1986 for "dissemination of slander." In late December 1986, Chukaeva was unexpectedly released, according to a fellow peace activist in Moscow.

Compulsory psychiatric confinement has been widely applied to independent peace activists. Olga Kabanova and Natalya Atulyonok were placed in a psychiatric hospital in May 1985; Kabanova was subjected to medical treatment. Viktor Smirnov was placed under compulsory psychiatric care on January 30, 1986, and held there until late March. According to Amnesty International he was again detained and sent to a psychiatric facility about 1 month later, where he apparently remains at this writing. In addition, Irina Pankratova, Anetta Fadeeva, and Nina Kovalenko have been confined to psychiatric facilities over various periods of time in 1986. In one case, Kovalenko was sent for "a checkup" when she and four representatives of the Western peace movement were handing out leaflets in Moscow's Gorky Park on measures for protection against nuclear radiation. On September 25, 1986 she was forcibly committed for protesting the arrest of Nicholas Daniloff. In January 1987, Kovalenko was allowed to emigrate to the West. Numerous other members of the Moscow "Group to Establish Trust" have been thrown in jail for short terms, placed under virtual house arrest by police blockades, subjected to fines, apartment raids, etc.

Several Soviet political prisoners have been implicated for their support for the "Group of Trust." This means that they might have signed the group's appeals, met with members, possessed group documents confiscated during searches, or committed other acts considered sympathetic to the group. Vadim Yankov was arrested and sentenced to 4 years labor camp, 3 years internal exile 1 week after he had signed the group's "Appeal" in June 1982. Aleksandr Vorona was arrested in 1983 in Novosibirsk in connection with his distribution of the "Group of Trust's" documents and placed in psychiatric confinement, where he remains. Lydia Latsis-Doronina, a Latvian human rights activist, was arrested in January 1983 for

distribution of the group's proposals in Riga and received 5 years strict regime camp and 3 years internal exile. Another well-known Latvian peace advocate, Mikhail Bombin of Riga, signatory of the initial "Group of Trust" document and organizer of several pacifist meetings and appeals in Latvia (in 1978, he was one of the organizers of a pilgrimage to Yasnaya Polyana on the 150th birthday of Lev Tolstoy) was declared "responsible" by the Serbsky Institute, and sentenced to 2 years correctional labor in August 1986. Long time human rights activist, Vladimir Gershuni was arrested in June 1982, shortly after he signed the "Trust Group's" opening appeal, and is currently confined to the Special Psychiatric Hospital in Alma-Ata.

Another group with a pacifist profile is a group of Baltic activists who called for the establishment of a nuclear-free zone in the Baltic States in a petition dated October 10, 1981. The final paragraph of the document states:

We hope that the NATO and the Warsaw Pact Powers will be able to guarantee the ban on nuclear weapons in the nuclear-free zone in North Europe, including the Baltic Sea and the Baltic countries. Such a ban on nuclear weapons in the one area would be an important step towards the fulfillment of the greatest expectation of mankind—A COMPLETE DISARMAMENT.

Of the 38 signatories of that document, 5 were arrested in 1983 and received long sentences. One of the five, Ints Calitis of Riga, Latvia was unexpectedly released from the political prisoners' labor camp in Perm on July 4, 1986 and allowed to return to his home in Riga. The remainder of his prison status is not clear (he was scheduled to be released in April 1989).

Some of the Estonian signatories of the Baltic nuclear-free zone petition may have been among the compilers of a message from an Estonian group, "Neutral and Nuclear-Free Balticum," which was addressed to the participants of the Stockholm CDE. The document related the history of the Soviet-occupied Baltics and called upon the CDE to: 1) declare the observation of human rights as a precondition for international confidence and security; 2) demand release of Estonian political prisoners; 3) create a Baltic nuclear-free zone; and 4) consider the issue of Baltic de-colonization at the next Helsinki follow-up conference.

"Socialist" groups

In July 1986, the West learned of a "manifesto" allegedly published by high-ranking party officials calling themselves the Movement for Socialist Renewal. Such "manifestos" and socialist "oppositionist groups"—while not claiming nomenklatura parentage—emerge fairly frequently on the dissident and samizdat horizon. Theoretically, socialist groups would enjoy a greater measure of legal protection from the Soviet state, inasmuch as they are striving to strengthen and defend socialism as prescribed by the Soviet Constitution. However, this has not been the case. Since 1982, the West has learned of the repression of at least two socialist groups. Sometime late in 1979 or early 1980, the KGB became aware of a "socialist group," and called in about half a dozen suspected par-

ticipants for interrogation. By November 1982, most of those implicated had been coerced into refuting their activities, and were released upon signing statements to that effect. One participant, however, Mikhail Rivkin, refused to capitulate and received 7 years strict regime camp and 5 years internal exile for "anti-Soviet agitation and propaganda" in July 1983. Another, Igor Kondrashov, was last reported to be confined to a psychiatric hospital.

In late 1983, a *samizdat* publication by a "Marxist-Research Group 68 80" discussed "the Electoral System in the U.S.S.R. and the Moral-Political Unity of Soviet Society."

In December 1984, a group that called itself "Mensheviks" was charged by authorities with attempting to establish a social-democratic party. While one of the leaders, Vyacheslav Demin, reportedly repented, another member, Alexander Chukayev, was sentenced to 7 years camp, and 5 years internal exile following his arrest in February 1985.

Amnesty International

The activities of the Moscow branch of Amnesty International have been completely curtailed due to pressure from the authorities. The last known leader of the group, Georgy Vladimov, was given a choice in May 1983 to "go East or West." He chose the latter and left on May 26, 1983. In an interview with the Helsinki Commission in April 1984, Vladimov stated that:

. . . the regime could not tolerate us. We received our orders from London Amnesty International headquarters. We could not register officially as an organization. The regime did everything in its power to stop us in our seemingly innocuous activities. . . . The Soviet Post Office held letters from 6 to 12 months, and by the time we received the mail in response, it was no longer timely. . . . When I left, many were awaiting further persecutions and arrests.

The question now stands whether to continue the Amnesty Group or do as the Helsinki Group . . . my friends are active people of conscience who are committed to continuing the struggle for human rights. The threat of repression will not stop them. They will seek other ways of working.

Another former AI activist, Vladimir Albrekht, was arrested in April 1983 and given a 3-year camp sentence for "dissemination of slander. . . ." In February 1986, he received another 3½ years for "malicious hooliganism." Father Sergei Zheludkov, a respected Russian Orthodox theologian and founding member of the Moscow branch of Amnesty International, died of natural causes in February 1984.

"Right to Emigration" group

Since publication of the last report, there has been little organized activity by the Right to Emigrate group, although individual adherents, most of whom are Pentecostals, continue to seek the right to emigrate. The group's leader, Vasily Barats, was sentenced in March 1983 to 5 years strict regime labor camp. His wife, Galina, who actively supported her husband and his work, was

tried 3 months later and sentenced to 6 years strict regime camp and 3 years internal exile. According to Lubarsky's "News from the U.S.S.R.," membership in the "Right to Emigration" group constituted part of the charges against three Pentecostals, Adam Zarivny, Semyon Dudyenko, and Tamara Shved, during their trial in Ternopol, UkSSR, in December 1983. Zarivny received 3 years strict regime camp; Dudyenko, 1½ years general regime, and Shved, 2 years general regime, suspended for 1 year due to the recent birth of her child.

Samizdat and tamizdat

In June 1982, mathematician Vladimir Golovach was told by KGB agents that they intended to abolish all *samizdat* and "all supplies of anti-Soviet literature." One month previously, Yuri Andropov had officially resigned as head of the KGB and assumed his position in the Central Committee Secretariat. Although *samizdat* ("the backbone of the human rights movement" according to exiled Moscow Helsinki monitor, Ludmilla Alexeyeva) continues to be produced in the Soviet Union, the amount of such literature reaching the West has declined in comparison to that of the halcyon days of the human rights activity in the mid-1970's. The *Chronicle of Current Events* which was issued anonymously from 1968-82, has apparently not been reestablished. The West continues to receive occasional issues of the independent labor union SMOT *Information Bulletin*, the publications of the Initiative Group for the Rights of the Handicapped, and sporadic individual pieces, such as trial transcripts, accounts of religious and national repression, descriptions of official corruption, etc. In 1985, three issues of the "+ Bulletin, +26, +27, +28, similar to the *Chronicle* and *Bulletin* "V" format, reached the West.

A corollary to the *samizdat* phenomenon is the reproduction and distribution of "tamizdat" literature—published abroad, from the Russian word "tam" meaning "there." One of the most widely circulated pieces of tamizdat, Solzhenitsyn's "Gulag Archipelago," began its existence as *samizdat* while the author was still living in the Soviet Union. A new form of underground literature is "magnitizdat," which includes songs, lectures, speeches, and radio broadcasts, on tape. Magnitizdat takes many forms, one of the most widespread being the taping of foreign radio broadcasts. In most cases, the possession of *samizdat*, tamizdat or magnitizdat is construed by Soviet courts as "dissemination of slander." or "anti-Soviet agitation and propaganda," depending on the nature of the material, and offenders are severely punished.

In early 1983, a new samizdat publication reached the West, entitled "*Ekspress-informatsiya, Bulletin V*" (issues 94/95, 96, 102, 104, and 105). Similar to the *Chronicle of Current Events, Bulletin "V"* contained information on trials, arrests, sentences and conditions in camp, along with essays on political topics and letters from prisoners. In April 1983, Viktor Yanenko was sentenced to 7 years strict labor camp and 5 years internal exile, reportedly for editing and distributing the SMOT *Bulletin*. In May 1983, human rights activist Aleksei Smirnov was tried under article 170, "anti-Soviet agitation and propaganda," for allegedly disseminating *Bulletin "V"* and helping compile issue No. 38 of the *Chronicle of Current*

Events. He was sentenced to 6 years strict regime camp and 4 years internal exile. In October 1983, Sergei Grigoryants was tried on charges of compiling and editing 10 issues of *Bulletin "V"* and sentenced to 7 years strict regime camp and 3 years internal exile. Yuri Shikhanovich received 5 years strict regime labor camp and 5 years internal exile in September 1984 for his involvement in producing the *Chronicle of Current Events*.

December 1983 saw the appearance of a new samizdat publication, "*The Herald of the Human Rights Movement*," carrying the basic format and contents of the *Chronicle of Current Events*. Also, the first issue of a new issue of Jewish samizdat, the *Leningrad Jewish Almanac*, appeared in the West in late 1984. It was dated September 1982.

As mentioned in connection with the Ukrainian Action Group for the Rights of Believers and the church, another major entry into the samizdat scene was the *Chronicle of the Catholic Church in Ukraine*, which first appeared in early 1984. The 10th and last issue of the *Chronicle* refers in its title to the "Church in the Catacombs," but it is a continuation of reports on the state of the Catholic Church in Ukraine and the overall human rights picture. One of the issues of the *Chronicle* carries a detailed account of the KGB's attempts to persuade Joseph Terelya to abandon his dissident activity on behalf of the church. An earlier issue contains Terelya's account of his family's association with Swedish diplomat Raoul Wallenberg, his subsequent arrest by Soviet authorities, and Terelya's claims of Soviet complicity in Wallenberg's disappearance. Another samizdat publication concerning Ukrainian Uniates and human rights in Ukraine is the *Herald of the Ukrainian Catholic Church*, which is apparently connected with the *Ukrainian Chronicle*.

Soviet-occupied Lithuania continues to yield regular editions of samizdat, although the volume reaching the West has, like its counterparts in other areas of the Soviet Union, declined considerably. Even the usually accessible *Chronicle of the Lithuanian Catholic Church* has had difficulty in reaching the West (67 issues as of July 1986). One of the charges that resulted in a 7-year camp and 5-year internal exile sentence for Father Tamkevicius (see Catholic Committee to Defend the Rights of Believers) was his participation in publishing and circulating the *Chronicle*. The 48th issue of the well-known fixture of Lithuanian samizdat "Ausra" took more than 1 year to reach the West. Nevertheless, a new samizdat publication, *Juventus Academica* (Academic Youth) reached the West in August 1984, purporting to be the voice of a newly established Lithuanian Youth Association. Among other things, the group called for nullification of the Helsinki accords, in view of Soviet lack of compliance.

The Council for Baptist Prisoners' Relatives continues to issue its *Bulletin* (as of July 1986, around 130 issues had been produced), providing documentation of arrests, trials, and other forms of persecution against Baptists in the U.S.S.R. It also publishes the *Herald of Truth*, which is devoted mainly to religious themes. Another leading source of "underground" Baptist material is the "Khristianin" printing press, a makeshift, mobile enterprise that publishes Bibles and hymn books. A "Khristianin" printing press

was discovered and destroyed in 1984 in Issyk, Alma-Ata region. At that time, 30,000 Bibles and 3 tons of unused paper were confiscated. For their part in this endeavor, Ivan Steffen, and the brothers Andrei and Egor Volf, received 5 years each labor camp. In the Moldavian village of Staraya Obrezha, six Baptist underground printers were arrested in October 1985. Following conviction in May 1986, Andrei Borinsky, Zinaida Tarasova, Natalya Shevchenko, and Anna and Yelena Yanushevskaya were sentenced to 3 years labor camp. The sixth, Lyubov Ivashchenko, received 2½ years. As of July 1986, six of these underground Baptist printing presses had been uncovered by authorities, and almost 100 persons were jailed as a result.

Possession of *samizdat* played a large part in the trial of Valentin Novoseltsev, a metal worker, whose apartment had been searched in connection with the *samizdat* literary journal *Poiski*. During the search, police confiscated Milovan Djilas' *The New Class*, a photocopy of Zinoviev's *Yawning Heights*, and 10 of Novoseltsev's own stories. Investigators also attempted to link Novoseltsev with dissemination of the *Chronicle of Current Events*. Eventually Novoseltsev was indicted for disseminating *The New Class*, two novels by Zinovyev, and Solzhenitsyn's *Gulag Archipelago*. He was sentenced to 5 years strict regime camp and 5 years internal exile. When Ukrainian Helsinki monitor and Jewish cultural activist Josef Zisels was tried in April 1985, among the charges was that he possessed, "for the purpose of circulating," books that had been published abroad.

In July 1983, Margarita Klimova was sentenced to 8 months strict regime camp (which she had served in pre-trial detention) and 4 years internal exile, for allegedly having circulated 39 books of *samizdat* and tamizdat publication. Valery Senderov, a SMOT activist and member of NTS (an nationalist anti-Soviet organization with headquarters in the Federal Republic of Germany), was sentenced in February 1983 to 7 years strict regime camp and 5 years internal exile for, among other charges, authorship of and circulating *samizdat* articles and statements. Authorship of an "Address to the Workers of the World" resulted in a sentence of 7 years strict regime camp and 5 years internal exile for Ukrainian worker Klim Semenyuk in 1985. As is frequently the case, Semenyuk's apartment in Kiev had been searched "in connection with another case." Among the items confiscated were documents of the Ukrainian Helsinki Group, later characterized by the prosecuting attorney's office as anti-Soviet and slanderous. In March 1983, poet Irina Ratushinskaya of Kiev was tried for having written anti-Soviet poems and distributing them in typescript form. Her sentence was 7 years strict regime labor camp and 5 years internal exile (On October 9, 1986 Ratushinskaya was unexpectedly allowed to return to her home in Kiev and later given permission to travel to England for medical treatment). Although he was subsequently pardoned, Vladimir Frenkel was sentenced on June 16, 1985 for, among other things, contributing to an underground Jewish cultural journal.

The self-immolation of a Crimean Tatar was the subject of a *samizdat* poem entitled "Torch over Crimea" by Grigory Alexandrov of Tashkent. Tried in August 1983, Alexandrov was last reported to

be in the Special Psychiatric Hospital. A veteran of the Stalin camps, Alexandrov had also written "I Lead to the Outcast Village." A television technician from the northern Caucasus, Alexei Baida, received 4 or 5 years general regime camp in July 1985 for translating and circulating literature. Baida and his co-defendants at the trial are members of the Hari Krishna sect (see Religious Rights).

The rampant corruption among local organs of government led former political prisoner Mikhail Zhikharev to write a book entitled *The Great Swindle* in 1974, which was circulated in *samizdat*. He was subsequently arrested, declared mentally incompetent and consigned to the Chernyakhovsk Special Psychiatric Hospital for over 10 years. The book must still be causing concern for the authorities, for not long after his release (as reported in April 1986) he was re-arrested and pressured to recant the allegations contained in his book. Zhikharev refused and was last reported back at the same psychiatric hospital where he had been held.

One example of the Andropov era crackdown on *samizdat* that had been more or less tolerated during the Brezhnev era was the August 1982 arrest of Zoya Krakhmalnikova, a Russian Orthodox publicist, author, and translator. For at least 6 years, Krakhmalnikova had been publishing and signing—without any interference from the authorities—*Nadezhda*, a *samizdat* collection of sermons, essays, and discussions of contemporary religious issues. However, she was convicted of "anti-Soviet agitation and propaganda" in April 1983, and sentenced to 1 year labor camp and 5 years internal exile. Following a trial in January 1986, Krakhmalnikova's husband, Felix Svetov, another *samizdat* author and former member of the Soviet Writers' Union, was sentenced to 5 years exile.

Samizdat among Soviet Moslems in the central Asian regions is not widespread, but the printing and distribution of a booklet in Tashkent entitled *About the Islamic Faith* brought a 7-year sentence in September 1982 for a Moslem metal worker named Abuazar Rakhimov. In March 1985, three persons were sentenced in Baku, Azerbaizhan for printing (on the Petro-chemical ministry printing press) Arabic literature for distribution in the North Caucasus area. A. Glukhov received 7 years camp; L. Belyaeva and A. Mutsologov, 4 years. In the Samarkand oblast, a farmer named Mardan Pulatov and his daughter Dzhamaila Kambarova were reported by the Soviet press to have been given camp sentences in the spring of 1985 for selling Muslim literature.

In the first half of March 1984, Seventh Day Adventist Gennady Bedarev was arrested and charged with "dissemination of slander" for having recorded and circulated foreign radio broadcasts. Some time between the end of 1983 and the beginning of 1984, Yuri Krivda of Frunze, Kirghizia, was sentenced to 2 years general regime labor camp for having taped and circulated foreign music and having sold the tapes. According to the prosecution, the items in question were "works advocating anti-Communist and anti-humanitarian morals." A newspaper in Turkmenistan complained in January 1984 about the appearance in the marketplaces of unauthorized musical cassettes. The newspaper did not mention the contents of the cassettes, but it is suggested from analogous reports

from other parts of the Soviet Union that such cassettes may contain political commentary critical of the Soviet system.

Demonstrations and leaflets

Public protest demonstrations ranging from organized gatherings to individual actions—sometimes expressed in forms verging on simple vandalism, such as defacing party posters and writing anti-Soviet slogans on public property—represent Soviet citizens' attempts to vent their frustration over the inability to find other legitimate avenues of effecting change through the political process. Among the subjects that have caused public protest are nationality concerns, religious repression, peace issues, emigration and conscription for military service in Afghanistan, among others.

According to Sergei Batovrin (see independent peace groups) even participants in official "peace" demonstrations organized by party officials are not allowed to produce their own signs and placards; these items are handed to them when they show up at their assigned places for the demonstration. According to one study covering the years 1953-83, the number of persons taking part in open protests is decreasing, while the number of such actions is on the rise. In June 1986, it was reported that police forces in Syktyvkar, Komi Province, were being trained in breaking up street demonstrations.

The largest demonstration reported during 1982-86 was a gathering of about 40,000 Jewish citizens in 1984 in Minsk to commemorate the 40th anniversary of the Minsk ghetto executions. On the other end of the spectrum is the case of Victor Monblanov, who staged a one-man demonstration in February 1982 on the fifth anniversary of the arrest of Yuri Orlov. After spending some time under psychiatric examination, Monblanov was sentenced to 5 years strict regime labor camp. Monblanov had spent 3 years in camp previously, having gone out on the streets of Kiev in 1978 with a tin cup and a Bible seeking funds for imprisoned prisoners of conscience. Another one-man demonstration was carried out in May 1984 by refusenik Vladimir Lifshitz, who stood in front of the Leningrad City Council with a sign saying "Free me from Soviet citizenship." Lifshitz was picked up by police, interrogated, and released after 3 hours. Eventually his attempts to emigrate led to a 3-year labor camp sentence. In March 1982, an ethnic Tatar named Khazi Gumer stood up in a Moscow theatre and shouted "Down with Soviet Fascism," an act that subsequently earned him 3 years labor camp for "hooliganism." Vladimir Kartukha of Sverdlovsk was sentenced to 2 years labor camp for "hooliganism" for having hung a poster over the balcony of his apartment in July 1983 calling for the overthrow of the Communists. Former political prisoner Boris Chernobytsky demonstrated in front of the Bolshoi Theatre in May 1986 with a poster reading "Ten years is enough. We demand visas to Israel," for which he received a 15-day jail sentence.

International Human Rights Day, December 10, has been a traditional date for peaceful demonstrations on Pushkin Square in Moscow since 1977. Prior to that year, the demonstrations had been held on December 5, Soviet "Constitution Day."

From 1982 through 1986, Moscow police and KGB have been by and large successful in thwarting the slightest attempt to demonstrate, even through the innocuous gesture of standing with one's hat removed at the Pushkin Monument on Human Rights Day.

As a result of the Human Rights Day demonstration in December 1982, around 60 persons were detained by police. In 1983, 16 were detained after "several dozen persons" gathered at the monument and removed their hats. Around a dozen were detained in 1984, and about the same number in 1985. The reduction in the number of arrests does not indicate a softening of the official position toward the occasion, but rather an increased ability to take preventive measures against potential participants. During the 1985 demonstration, an American television cameraman who tried to film the proceedings was knocked down and his camera lens broken. Participation in the same demonstration by artist and peace activist Nina Kovalenko was considered so detrimental to the reputation of the RSFSR Artists Union that her membership therein was terminated and she was asked to turn in her membership card.

Soviet ethnic German and Jewish citizens frequently (by Soviet standards) stage group demonstrations with demands to be allowed to emigrate. In January 1983, four ethnic Germans from Kamyshin in the Volgograd region tried to demonstrate in Moscow before the Embassy of the Federal Republic of Germany. In September 1983, three women from the same city unfurled banners on Red Square in Moscow demanding to be allowed to repatriate, and 1 month later eight Kamyshin Germans carried out the same protest in the same place. In each case, they were immediately arrested. In March 1985, 19 families of German refuseniks from Kabardino-Balkar tried to demonstrate at the city council building in the city of Prokhladny, but were dispersed by police. A quartet of Germans from Kabardino-Balkar ASSR demanding repatriation demonstrated on Red Square in November 1985. They were picked up by police and sent home. Reportedly they were later charged with disturbing the peace. In April 1986, four German refuseniks from Tadzhikistan were sentenced to brief (10-15 days) jail terms for a demonstration in Dushanbe with signs that read "Let Us Go to the F.R.G." Another four ethnic Germans staged a demonstration in October 1986 in front of the Federal Republic Embassy in Moscow with signs saying "we want to go back to our homeland." They were taken away in police cars. In June 1986, a group of seven Jewish refuseniks staged a demonstration at the Gogol Monument with signs saying "Let us go to Israel." Two of the participants, Yuri Chekanovsky and Yuri Rozentsveig, received 10- and 15-day jail terms, respectively.

Around 100 persons, mostly students, demonstrated in Tbilisi, Georgia, in 1983 for the release of two young Georgian men who had been arrested for passing out leaflets protesting the celebration of the 200th anniversary of the Russian annexation of Georgia (the men were ultimately sentenced to labor camp terms). Also in Georgia, in late 1985, students in at a teachers' college in the town of Kutassi held a protest demonstration against the arrest and sentencing of a popular teacher who had been jailed for keeping foreign language periodicals in his home.

A demonstration of about 200 parents whose sons had been conscripted for service in Afghanistan took place in front of the Erevan, Armenia enlistment office in May 1985. About 40 were arrested for "hooliganism." According to the same report, a similar demonstration occurred in Tbilisi, Georgia.

Public protests and clashes between citizens and police authorities, or between Balts and Russians, frequently take place in occupied Estonia, Latvia, and Lithuania. Many such manifestations of public unrest frequently begin as parades, concerts, and sporting events. In other cases, they erupt on the anniversaries of the independence days of the formerly free nations. May 1985 saw two major confrontations in Latvia: on May 9, Soviet Victory Day, and May 14, Latvian Independence Day. About 300 young Latvians were detained for staging a demonstration with placards and leaflets demanding an end to Soviet occupation. The resulting clash between Latvians and Russians reportedly led to some deaths. The parents of some of the Latvian youth involved subsequently lost their jobs, and even their teachers suffered penalties. Although the large-scale demonstrations that took place in the early 1980's in Estonia seem to have receded, unrest continues to flare up. As in the case of Latvia, demonstrations frequently coincide with memorable dates in Estonian history. Following celebrations in September 1982 commemorating the founding of the University of Tartu, anti-Soviet demonstrations broke out. At least three young Estonians have been sentenced to labor camp terms for having raised the flag of independent Estonia in public places; three more were sentenced for having torn down a monument to Soviet soldiers of Russian origin. Another student, Valdo Padar, is presently serving a 4-year camp term for having called upon youth at a music concert in June 1984 to "overthrow Soviet power." Several students were thrown out of Tartu University in early 1983 for having lit candles at the grave of Estonian hero Yulius Kuperyanov on Christmas Eve 1982. According to press reports, "hundreds" of Estonian and Russian youths clashed in late September and early October 1985 in connection with preparations for Soviet Constitution Day. Estonians also reportedly demonstrated in middle and late August 1986 against the forced dispatch of approximately 300 Estonian workers to the Chernobyl cleanup operations and against the poor working conditions to which the workers there have been subjected. On February 16, 1983, Lithuanian Independence Day, the Lithuanian national flag was hoisted above a school in the town of Kapciamiestis. Several people were questioned, but the "culprits" were not apprehended.

In Leninabad, Tadzhik SSR, around 70-80 persons demonstrated in front of regional party headquarters in August 1984 to call for the release of Crimean Tatar activist, Smail Bilyanov, who had been arrested for raising the Crimean Tatar question before party officials (see section on Ethnic Rights). The demonstrators remained in front of the building for about 24 hours until they were dispersed by police and KGB.

Another form of quasi-public protest is the distribution of anti-regime leaflets passed around in public places, stuffed into mailboxes, or affixed to walls. As in the case of demonstrations, these leaflets address a variety of topics: support for Solidarity in Poland,

calls to boycott Communist "subbotniks" (i.e., required volunteer work on days off), and opposition to the Soviet military presence in Afghanistan. Two Georgians, Paata Sagaradze and Irakly Tsereteli, are currently serving 3-year strict labor sentences for having distributed leaflets in 1983 calling for a boycott of celebrations of the 200th anniversary of the annexation of Georgia by the Russian Empire. In the autumn of 1982, a Moscow University student named Malinin was sentenced to 2 years strict regime camp for circulating leaflets. Also in the latter part of 1982, five persons were arrested in Dushanbe, Tadzhikistan for circulating leaflets protesting the war in Afghanistan. At least two of the participants, one "Nazarov" and Pavel Airapetov, are thought to be in labor camp as a result. In early 1983, geologist Leonid Kolevatov was arrested in Moscow for pasting up leaflets in Moscow Metro stations. He was sentenced to 3 years general regime camp. Nikolai Volkov of Sverdlovsk is apparently in a psychiatric hospital for having handed out leaflets in Red Square in August 1983 in the form of a letter to the French Ambassador demanding permission to emigrate to France. Vladimir Delidivka of Kiev was sentenced to 6 years strict regime camp and 5 years internal exile for having helped address leaflets that were sent around by post. Many of the pacifist demonstrations in the Soviet Union (noted above) are accompanied by distribution of leaflets and petitions. The demonstration of 1 June 1983 by "Independent Initiative" featured leaflets calling for the abolition of capital punishment and Soviet withdrawal from Afghanistan. Yuri Popov was accused of being the author of the leaflets and placed under forced psychiatric confinement.

Andrei Sakharov

Dr. Andrei Sakharov, one of the most respected advocates of civil and political rights for Soviet citizens, continues to remain in illegal exile in the Soviet city of Gorky, having been sent there forcibly by Soviet authorities on January 22, 1980. In August 1984, his wife Dr. Elena Bonner was compelled to join him there as an exile, having been sentenced to 5 years internal exile for "dissemination of slander." Bonner's sentence was a severe blow to Sakharov, who had greatly depended on his wife to maintain tenuous contact between himself and his many friends and supporters in the Soviet Union and the West.

The years 1982-86 have proven painfully eventful in Andrei Sakharov's continuing struggle against the Soviet police state. In most cases, the authorities have managed to thwart his efforts to break down the walls of isolation in Gorky. The Soviet media continues to attack him, particularly through attacks on his wife.

Despite the isolation, surveillance, and orchestration of public opinion, Sakharov managed in 1982-83 to produce a modicum of scientific work and issue statements and appeals on human rights topics. In December 1982, in connection with the 60th anniversary of the establishment of the Union of Soviet Socialist Republics, Sakharov telegraphed the Presidium of the Soviet Union requesting amnesty for 36 political prisoners serving sentences at that time. In March 1983, he appealed to public opinion on behalf of Ivan Kovalev and his wife, Tatiana Osipova, who were serving terms in separate labor camps. And in October 1983, Sakharov

wrote to a meeting of Nobel Laureates in Paris calling upon them to speak out in defense of political prisoners in the Soviet Union and other socialist countries, and to support Amnesty International's appeal for a universal amnesty for political prisoners.

In February 1983, an anonymous letter from Soviet scientists in defense of Sakharov reached the West. "Western scientists must not allow Sakharov to suffocate in exile," they wrote. The scientists could not sign the letter individually, they wrote, "as it will inevitably entail serious consequences: threats to our families and to our very existence." On the other hand, written denunciations attacking Sakharov and signed by Soviet notables had no trouble making their way into print. The July 3, 1983 issue of *Izvestiya* carried a virulent attack on Sakharov entitled "When One Loses His Honor and Integrity." Written in response to Sakharov's letter to American physicist Sidney Drell on the danger of thermonuclear war, and signed by academicians Dorodnitsyn, Prokhorov, Skryabin, and Tikhonov, the article accused Sakharov of slandering the Soviet people and encouraging the arms race. Following the publication of this article, Sakharov and Bonner received a stream of insulting letters and telegrams. In a June 20, 1983 issue of *Newsweek*, the President of the U.S.S.R. Academy of Sciences, Anatoly Aleksandrov, stated that Sakharov had, unfortunately, undergone "a rather serious psychic shift," meaning that his dissent was a function of psychological problems. This subtle change to a "more in sorrow than in anger" policy regarding their dissident Nobel laureate was strengthened in December 1983, when Chairman of the Soviet of Nationalities Vitaly Ruben called Sakharov "a talented but sick man" and accompanied his words with a tapping gesture to his forehead. Subsequently, the October 1983 issue of *Cheloveki Zakon* (Man and the Law) carried a chapter from Yakovlev's book *The CIA Against the Nation of Soviets* in which the author referred to Sakharov as "a victim of the Zionist section of the CIA" and portrayed Elena Bonner as an immoral schemer who had lured Sakharov into human rights "intrigues" for her own self-aggrandizement. Attempts by Bonner to bring suit against Yakovlev for slander were rejected by the court.

Despite confirmation by two Academy of Sciences physicians in June 1983 that Sakharov should be admitted to a hospital for his cardiac and prostate problems, Soviet officials repeatedly refused to admit him to the Academy Hospital in Moscow. At the same time, Sakharov began a series of appeals to the Kremlin to secure permission for Elena Bonner to travel to the West for medical treatment.

Meanwhile, the authorities played cat-and-mouse with the issue of Sakharov's own emigration to the West. Although he had previously referred to the issue of his possible emigration as a "hypothetical situation," in early 1983 he accepted an invitation from the Norwegian Government to move there with his family for permanent residence, and asked the Norwegian Government to intercede with Moscow on his behalf. In April 1983, the Soviet Minister of Justice stated to the Swedish press that "If he should ask now to leave, I think he would probably receive permission." This statement was disavowed by Moscow about 1 month later. Similar charades took place in Paris in November 1983, and Copenhagen in

1984. In October 1985, General Secretary Gorbachev stirred up hopes for Sakharov's release during a 4-day visit to Paris, when, in response to a journalist's question on Sakharov, he made mention of "reunification of families . . . and other matters of a humanitarian nature." However, on February 7, 1986 the General Secretary stated flatly that Dr. Sakharov "remains the possessor of state secrets of particular importance, and therefore is not able to leave the country." (*Pravda*, February 8, 1986.)

By May 1984, Dr. Sakharov had despaired of Elena Bonner's receiving permission to travel to the West for medical treatment. When his appeals failed to move the Kremlin, he began a hunger strike on May 2 that lasted until May 27, at which time Sakharov voluntarily took food after doctors at Semashko Hospital had been force feeding him since May 11. Meanwhile, Elena Bonner was confined to their Gorky apartment until her trial on "anti-Soviet agitation and propaganda" charges on August 9-10. She was sentenced to 5 years exile, but allowed to stay in Gorky. Throughout much of this time, the West was kept in darkness as to Sakharov's fate. Soviet officials repeated statements that their prisoner of Gorky was in satisfactory health and under observation at Semashko, and they peddled doctored tapes showing Sakharov supposedly getting about normally at the hospital. It was not until early August that Elena Bonner was able to contact friends in the Soviet Union to report that her husband had ended his hunger strike and that she was being brought up on criminal charges.

Sakharov briefly resumed his hunger strike on September 8, but abandoned it rather than continue his separation from Bonner, and returned to their apartment. By October 1984, the couples' friends had received several telegrams and postcards indicating that they both were back at their apartment, and a photo to their relatives in the United States followed in November. The couple spent the next 7 months together in their guarded apartment. In December 1984, as General Secretary Gorbachev arrived in London for talks with Prime Minister Thatcher, the Soviets released more hidden-camera photos showing Sakharov and Bonner in apparent good health.

By April 16, 1985, when it became obvious that Soviet authorities were still refusing to grant Elena Bonner travel permission, Dr. Sakharov initiated yet another hunger strike. On April 21, he was again hospitalized and subjected to force feedings. On May 25 Bonner's daughter in the United States, Tatiana, received a postcard dated April 21 that was later shown to be a forgery. Sakharov abandoned the strike on July 11, but resumed it on July 25. Force feeding followed on July 27. According to Elena Bonner, the chief physician told her husband, "we won't let you die, but you will be a complete invalid." In June, a Soviet film shown in the West had featured a doctor stating that Sakharov had never been on a hunger strike, but had been in the hospital for treatment of "various ailments." By this time the desperate Nobel Peace Prize Laureate had also written to Gorbachev stating his desire to "cease completely my public activities, except, of course, in exceptional cases." Finally, in October 1985, Elena Bonner was issued a visa for travel abroad. This was confirmed by Sakharov in a telephone conversa-

tion with his relatives in the United States, the first time he had been allowed to speak with them in 6 years.

In December, Elena Bonner arrived in the West and underwent the heart by-pass surgery she needed. Her 3-month visa was later extended by Soviet authorities for another 3 months. Although she had agreed, as part of the agreement allowing her to leave for the West, not to give news conferences or interviews, she was able to provide details of Sakharov's plight and expose the fabrications produced by Soviet spokesmen during his travails. In February 1986, Sakharov managed to pass to the West an extensive package of letters describing in detail his struggle against his oppressors, confirming the disinformation campaign waged by authorities during his hunger strikes.

Just before her return to the Soviet Union, Elena Bonner spoke before a gathering in the United States House of Representatives to celebrate Andrei Sakharov's 65th birthday on May 21, 1986. In her brief speech, she stated that:

. . . The times called for someone like Sakharov to appear. . . . Sakharov's scientific brilliance, his profound understanding of the benefits and hazards of progress, place him on the cutting edge. His personal qualities include absolute honesty, courage so natural that it tends to be overlooked, and a morality founded on his innate knowledge of good and evil. All these together have made him Andrei Sakharov, the Andrei Sakharov who is known and respected throughout the world.

Elena Bonner rejoined Sakharov on June 3, 1986. In early September 1986, the Western press reported that Sakharov had written a letter to General Secretary Gorbachev dated February 16, 1986 in which he asked Gorbachev to release all Soviet prisoners of conscience, and specifically named 12 well-known dissidents.

On December 16, 1986, General Secretary Gorbachev telephoned Sakharov (a phone had been installed the day before) and informed him that he would be allowed to return to Moscow, and that Elena Bonner's exile sentence had been lifted. Upon his return to Moscow, Sakharov stated that he would resume his scientific work. He also called for the release of all political prisoners, and Soviet troop withdrawals from Afghanistan as part of the resolution of the "tragic blind alley" created by the war.

ECONOMIC RIGHTS

General references to social and economic rights in Principles VII and IX of the Helsinki Final Act were amplified in the 1983 Madrid Concluding Document. For the first time in CSCE, that document referred to independent labor unions:

The participating States will ensure the right of workers freely to establish and join trade unions, the right of trade unions freely to exercise their activities and other rights as laid down in relevant international instruments. They note that these rights will be exercised in compliance with the law of the state and in conformity with the state's obligations under international law. They will encourage, as

appropriate, direct contacts and communication among trade unions and their representatives.

This extensive reference to the right to form and join independent labor unions represents a major step forward in CSCE in the realm of social and economic rights. The reference to domestic laws, which, in the case of the U.S.S.R. are very restrictive, is offset by the reference to international laws.

Until Mikhail Gorbachev became General Secretary, the Soviet press was only rarely critical of Soviet social and economic problems. Articles written in self-congratulatory prose, claiming that the Soviet state provides for the social and economic needs of its citizens, were the norm. Within the past year or so, however, the Soviet media has been increasingly frank about certain deficiencies in Soviet society. Nevertheless, even the most critical articles do not call into question the basic structure of the Soviet state. Such articles also avoid discussing social or economic problems on a national scale, except in vague and general terms.

What follows is an overview of social and economic issues in the Soviet Union, drawn from Soviet, Western and independent sources.

The citations drawn from the Soviet press (via Joint Publications Research Service translations) indicate some of the ways these social and economic issues are currently being discussed in the Soviet Union. These press items, it will be noted, are limited to criticism of local failures; nationwide shortcomings are not discussed.

Representative of Western views on the Soviet socio-economic record is a speech given by Ambassador Richard Schifter on May 22 during the Ottawa Human Rights Experts Meeting. This speech, based on a wide variety of Western sources, is probably the most comprehensive review of this record ever given by an American official.

Standard of living

Ambassador Schifter compared the Soviet standard of living to that of the United States: It is hardly one third of the U.S. level. In fact, the average Soviet citizen does not live as well as someone living at the official U.S. poverty line.

Shortages of consumer goods

"The Soviet economy," Schifter maintained, "is characterized by pervasive shortages of consumer goods and the widespread corruption these shortages generate." He commented that in the U.S.S.R., unlike anywhere in the developed West, "the most basic consumer goods are in continuous short supply and rationing remains a common fact of Soviet life. The situation has been so bad in some localities in recent years that food riots have reportedly occurred."

He characterized the Soviet production and distribution system as "so capricious that it is impossible to tell what will be available from one day to the next. . . . These endless shortages force the average Soviet family to spend 2 hours shopping every day just to obtain the basic necessities of life."

"The chronic shortage of basic consumer goods has fostered the creation of an enormous black market in scarce items, Schifter said. "This in turn has led to widespread official corruption, as persons with administrative control over scarce commodities divert them for personal gain. . . . Some estimate that as much as 25 percent of the Soviet GNP is diverted to the black market every year."

These views receive some confirmation in the Soviet press. *Sovetskaya Rossiya* (February 12, 1986) has conducted public opinion polls on various questions. A poll of workers in Chelyabinsk revealed that 25 percent responded negatively when asked if the quality of consumer goods had improved in recent years. Most will no longer tolerate poor quality, although plentiful, goods. The workers gave the following reasons for the slow improvement in quality: irresponsible, sloppy manufacturers; poor labor organization in light industry; technological and technical backwardness; poor quality control.

Consumer services is a related area of chronic weakness in the Soviet economy and it has come under increasing scrutiny. This can be seen in a lead editorial in *Sovet Turkmenistany* (December 15, 1985) which criticizes consumer services in all of the Turkmen Republic. Problems include developing and increasing the variety of consumer services, and recruiting personnel. "Some of the (local executive councils) are not paying enough attention to this. As a result, plans for providing consumer services to the population are rarely fulfilled." Specific sectors singled out include repair and maintenance of housing, and dry cleaning.

Soviet military spending

The Soviet consumer is in a severely disadvantaged position because the military sector is always given precedence, Schifter observed. "Soviet per capita spending for defense, for example, is, in relative terms, at least twice as high as in any developed Western country." Comparing the U.S. and Soviet military spending records, Schifter noted: "Today, the Soviet Union spends at least 14 percent of its GNP on defense, compared to only 7 percent for the United States."

Social stratification

Ambassador Schifter also described the extreme social stratification which characterizes Soviet society:

A privileged 5 percent of the Soviet population, known as the "nomenklatura," has access to special "closed" stores that are specially stocked with foreign goods not available in regular stores . . . Housing space is allocated by state authorities on the basis of social status.

The Fourth Directorate of the Ministry of Health runs a closed system of hospitals, clinics, and dispensaries for the nomenklatura, providing far better services than those available to the general population.

The Soviet ruling oligarchy also has access to such special benefits as foreign travel, automobiles, admission to the best schools, country houses, access to cultural events

and paid vacations in choice resorts which are not available to the average citizen.

These comments reveal a Soviet ruling elite which is guaranteed its privileges by reason of party rank. The *nomenklatura* or institutionalized ruling elite dates far back into Soviet rule and shows no sign of disappearing or giving up its privileges.

Status of women

Traditionally, the Soviet media has touted the equal status of women in the U.S.S.R. Recently, however, a few cracks in that official monolith of praise have appeared. An editorial report in *Sovet Turkmenistany* in Turkmen (December 13, 1985) notes that there are very few women workers in the Turkmen *nomenklatura* (high-level party officials.) Furthermore, of 238 cotton brigades (groups of workers assigned to a specific task) only two are headed by women.

"Women occupy a low rung on the Soviet economic ladder," Schifter said. Women usually hold the lowest-status and lowest-paying jobs. One third of all Soviet women workers are agricultural laborers. By contrast, 1.5 percent of American women hold such farm jobs. "Soviet women have no access to effective political power." Only one woman has served on the Politburo. In March 1983, Gorbachev named Aleksandra Biryukova, a trade union official, to the Central Committee Secretariat. Less than 5 percent of Central Committee members are women. In fact, only 25 percent of Communist Party members are female.

Soviet medicine

Serious health problems affect Soviet women and indeed society at large. Soviet publicists emphasize that Soviet women are entitled to liberal maternity benefits. But abortion is the only available method of birth control. Schifter notes, "many women have a history of five or more abortions." Such heavy reliance on abortion as a method of birth control has led to health problems and a significantly reduced birth rate.

In recent years, Soviet officials have shown some concern about inadequate Soviet health care. Although free, it is now recognized to be often of poor quality. An article in *Kommunisti* (January 14, 1986) discusses the results of an opinion poll about a Tbilisi hospital. It offers many examples of disorder, lack of sanitation, poor management, inconsiderate treatment of patients and instances of corruption among doctors and hospital personnel.

Soviet medical personnel, both doctors and nurses, are poorly paid. Medicine is considered a low-status profession and is staffed mostly by women. *Sovetskaya Latvija* (December 25, 1985) points to an urgent need to raise the salaries of personnel in the republic tuberculosis sanatorium for children. "Because pay is so low, older nurses who have worked for 30-40 years are retiring on meager pensions while younger ones are leaving soon after their arrival to find higher paying jobs."

Systematic shortages, Schifter pointed out, are one of the main reasons for the poor state of Soviet medicine. Medical equipment and many medicines are in extremely short supply. For example, in Novosibirsk only 11 percent of 216 standard drugs for specific ill-

nesses were actually available. One third of all Soviet hospitals do not have adequate facilities for blood transfusions. Basic items such as bandages, aspirin, and syringes are often hard to find. Hospital food rations are so meager they must be supplemented privately. Soviet per capita spending on health care is less than one third that of the United States.

Alcoholism

The Soviet Union leads the world in the per capita consumption of hard liquor, Schifter observed. Alcohol consumption in the U.S.S.R. has more than doubled over the last 25 years. The death rate from alcohol poisoning in the Soviet Union is 88 times the U.S. rate. Alcohol is the leading cause of industrial accidents, particularly since some 35 percent of Soviet workers are chronically drunk.

In fact, alcohol and its effects may be the leading cause of death among Soviet males. Alcohol abuse is the third leading cause of illness among Soviet women. It is also a key factor in the alarming rise of birth defects and the higher infant mortality rates. Already by 1980, the net social cost of alcohol abuse in decreased labor productivity in the U.S.S.R. amounted to a startling 8 to 9 percent of the total national income. In conclusion, Schifter referred to a poll cited in a March 1984 *Sovetskaya Rossiya* which showed that half the Soviet population regards drunkenness as the number one social problem in the U.S.S.R.

Thus, Gorbachev's anti-alcoholism drive has strong popular support, and improved medical treatment for alcoholics is an important part of it. An editorial in *Pravda* (January 12, 1986) criticizes the Soviet medical profession for shortcomings in medical treatment for alcoholics, singling out Ukraine, Kirgizia, and Armenia as particularly remiss.

Rising Soviet mortality rates

Rising mortality rates for males and children are a severe problem in the Soviet Union. For the first time since the 1970's, the Soviet authorities have made public figures on mortality rates among children. In a scientific journal titled *Zdravookhraneniye Tadzhikistana*, (No. 6, 1984), an article admits that these rates were 38.3 percent greater in 1984 than in 1970. One major cause of this rise is the shortage of potable water in areas with very inadequate sewage systems.

Numerous factors, such as rampant alcoholism, poor health care, industrial pollution and accidents, have led to this alarming increase in Soviet mortality rates over the last 20 years. Schifter compared Soviet and American data. The life expectancy of Soviet males has decreased from 66, 20 years ago, to 62 years today. In this period, American male life expectancy went from 66 to 71 years. Infant mortality in the U.S.S.R. has risen from 26.2 per 1,000 live births in 1971 to about 40 per 1,000 today. During the same period, in the United States, infant mortality has decreased from 24.7 per 1,000 to 10.7. It should be noted that the Soviet figure on infant mortality is only an estimate, since the Soviet Government stopped publishing such data after 1974 when the rate had risen to

31.9 per 1,000—already much higher than in any developed Western country.

Soviet education

Education is also an area of concern to Soviet officials. In Ukraine, for example, *Pravda Ukrainy* (October 20, 1985) noted certain difficulties in adopting educational reforms which increase the role of vocational education. It comments that "lagging is tolerated in the development of preschool education, especially in the rural areas. Proper attention is not being paid to the organization of training and educational school-kindergarten institutions . . . Local executive committees are not involved enough in assigning the graduates of professional and technical education institutions to industry. The necessary attention is not being paid everywhere to determining long-term labor requirements. Appropriate measures are not being taken to provide the necessary conditions for students residing at school boarding homes, as well as to improve living conditions for the teaching and engineering-pedagogical cadres."

A lead editorial in the *Mugallymlar Gazeta* in Turkmen (January 10, 1986) chronicles both achievements and shortcomings in the school year. It admits that student participation is poor at certain schools, and that the study materials are poor at some schools. Some teachers work outside their specialties.

Illegal university enrollment, usually involving the children of high-ranking party members, is a rather common problem recounted in *Komunisti* in Georgian (September 26, 1985). The son of a Tbilisi MVD Deputy Chief was illegally enrolled in the Tbilisi State University School of Law. This episode is part of a larger scandal of collusion between some high- or mid-level officials and Tbilisi State University administrators and faculty to gain illegal admission to university for the officials' sons. The article concludes that "one law fits all."

Soviet transport

Also under criticism is Soviet transport. Of great concern is that its chronic inefficiency exacerbates the already severe shortcomings in agriculture. Passenger service has also been a subject of discussion. *Kommunisti* (September 15, 1985) describes the current state of rail passenger services on the Transcaucasian railway: dishonest cashiers and dispatchers, double booking, free riders, poor sanitation, rude conductors and porters, and missed schedules. Moreover, the article cites complaints by railway personnel that requests for new passenger trains go unheeded. In one case, new cars that appeared on one line in 1982, disappeared only 2 weeks later—the article hints they were sent to Moscow.

Soviet housing

Official Soviet sources have long pointed to the severe housing shortage in the U.S.S.R. Schifter presented data on this. At least 20 percent of all urban families in the U.S.S.R. must share kitchen and toilet facilities with other families. Another 5 percent live in factory dormitories. In the U.S.S.R., there are about two people for every room, while in the United States there are two rooms for

every person. Soviet statistics show that in 1983, 32 percent of all urban housing lacked hot water, 23 percent was without gas, 19 percent without indoor baths, 12 percent lacked central heating, 11 percent without sewage, and 9 percent without water. In the countryside, the housing situation is much worse: heating is usually on fireplaces, cooking is on wood stoves, outhouses are the usual toilets, and water is often from a well.

City dwellers face major difficulties in housing. A lead article in *Kommunisti* in Georgian (August 11, 1985) describes some of these problems. Tenants complain that newly "finished" apartments are badly built. Doors, windows, flooring and other components are substandard. The Georgian Construction Minister, interviewed in this article, recognizes these chronic problems, but notes that Georgia is not an exception in the Soviet Union.

Construction problems are not limited to apartment buildings—they affect offices as well. On December 16, 1985, Moscow Television broadcast part of a series on reporters' visits to various Soviet cities. The first report is set in Ashkhabad, capital of the Turkmen Republic, and shows a dilapidated construction site. This unfinished 30-story building was supposed to house the Ashkhabad Radio Center—it has not been completed in 20 years. This is not the only unfinished municipal building; next door is the incomplete intercity telephone exchange.

The future does not look bright for Soviet housing. At current rates of construction, Soviets will have as much space per person as their Western counterparts only in 150 years. The Soviet Union spends less than one fifth as much on housing as the United States and under half of what is spent in Spain, Schifter pointed out.

Urban/rural standards of living

The urban population of the Soviet Union enjoys a much higher standard of living than its country cousins. In almost all areas—housing, diet, transportation, roads and access to consumer goods—the rural population fares much worse than urbanites. A lead editorial in *Kommunist* in Azeri (November 14, 1985) reveals that this problem continues:

One must consider that a number of village residential areas are not meeting contemporary demands; there is a shortage of needed buildings such as kindergartens, public baths. . . . There are serious shortcomings in trade, medical and life services for the rural population. Intervillage roads are in poor shape. Difficulties in electric and gas equipment and drinking water are causing rural workers justifiable dissatisfaction.

An article in *Kommunisti* in Georgian (June 6, 1985) focuses on an agricultural region in the west Georgian highlands. Although First Party Secretary Shevardnadze labelled services "primitive" back in 1983, the state of communications, utilities, medical and trade services, and schools has not improved. Roads, bridges, schools, and sewer systems are dilapidated or nonexistent. The regional hospital is in such poor condition that people go to other areas to get medical help. Telephone, radio and television services work erratically or not at all.

Soviet agriculture

The chronic inefficiency of Soviet collectivized agriculture shows no sign of improvement. Schifter presented some telling statistics on this. Twenty percent of the Soviet work force is in agriculture, compared to 3 percent in the United States. Nevertheless, the U.S.S.R. usually imports as much as 25 percent of its grain. American farmers are 10 times more productive than Soviet farmers. Soviet private plots, totalling only 4 percent of Soviet arable land, produce 25 percent of Soviet crop output, showing that it is collectivization which leads to low agricultural productivity in the Soviet Union.

In fact, agriculture is the perennial Achilles heel of the Soviet economy. There have been various, mostly unsuccessful, attempts to improve Soviet agriculture. One new effort is the "family contract," introduced in Georgia 3 years ago. An article in *Kommunisti* in Georgian (August 9, 1985) tells how the introduction of the "family contract" has revolutionized the situation of the sovkhoz. Meat deliveries are up 53 percent, and dairy products 43 percent. In 1984, the sovkhoz made a profit of 20,000 rubles, while annual family income has doubled to 2,550. Nevertheless, the state is not complying with all provisions of the "family contract," such as providing enough trucks, tractors and feeds.

A recent Soviet press item revealed that Soviet agriculture even relies on child labor. *Pravda* (March 6, 1985) criticized widespread use of child labor in Uzbekistan to harvest cotton. Rather than being in school, many Uzbek children are planting and picking cotton. In fact, in some areas of Uzbekistan, children are in class only 5 or 6 months of the year—rather than the obligatory 9. Some areas rely heavily on child labor: In one region children collected "almost half" the harvest in 1984. Therefore, decreased reliance on child labor would have serious economic consequences.⁴

Literaturnaya gazeta (July 30, 1986) published a scathing attack on the Soviet Ministry of Health for not banning the use of a very toxic defoliant, Butifos, in the central Asian cotton fields. The Ministry was accused of putting the wishes of the agricultural ministries above the health of the local population. The insecticide is still used—often in mega-doses—though it has long been known to affect the central nervous system, heart, liver and kidneys and to induce dangerous allergic reactions. Doctors also link Butifos to the prevalence of hepatitis in cotton-growing areas. Although the Soviet Ministry of Health forbade the use of Butifos in 1983, a large loophole in the law has allowed continued use of the defoliant.⁵

Industrial crime

The anti-crime and anti-corruption campaign is a hallmark of Gorbachev's new administration. An article in the Russian-emigre newspaper, *Russkaya Mysl* (late 1985), asserts that factory directors are often made scapegoats for systemic flaws. According to this article, thousands of directors are brought to trial: "According to a U.S.S.R. Procuracy report, in 1984 over 18,000 Soviet directors were

⁴ ⁵ See footnotes on p. 234.

involved in criminal or disciplinary proceedings or were held financially responsible."

An article in *Kommunist* in Azeri (May 16, 1986) reveals the scope of some of the crimes committed in Soviet factories. A group of thieves had been stealing "socialist property" at a cotton cleaning factory and also at some cotton plantations. In 4 years, the gang managed to steal about 3 million rubles annually from the factory.

Labor issues

Labor dissatisfaction is also a problem in the Soviet Union—as everywhere in the world. A study of the Ukrainian coal industry, published in *Sotsiologicheskiiye issledovaniya*, (No. 2, 1984) revealed widespread dissatisfaction with the quality and availability of social services. Over one third of the 1,634 surveyed complained about the availability of transportation and the organization of leisure activities; over 24 percent were unhappy with living conditions and work facilities.

There was a reported work stoppage among Estonian cleanup crews at the site of the Chernobyl nuclear accident. A series of articles in August 1986 in *Noorte Hal*, the Estonian-language Komsomol youth newspaper, was meant to quell rumors about Chernobyl labor problems. A group of 200 to 300 Estonian reservists was called up and sent out to wash houses and trees and strip contaminated topsoil. The work day stretched from 6 a.m. to 8 p.m. with only 2 days off per month. In June, the conscripts were told that their 2-month tour had been extended to 6. In protest, a work stoppage was organized which went on into July. Exposure to radiation was a major concern; some were sent home early due to health problems. Special exemptions were made: men over 45 and fathers of three under-age children were allowed to return to Estonia.⁶

Sovetskaya Rossiya (February 12, 1986) revealed, "Public opinion demonstrates that the labor remuneration system must be resolutely improved and made fully to accord with a man's labor contribution. . . . A considerable proportion of those questioned at the Chelyabinsk metallurgical combine believe their labor remuneration does not match their individual contribution."

Forced labor

The International Labor Organization (ILO) continued its investigations into Soviet violations of its conventions on forced labor. ILO concern has focused on two Soviet laws which it found to be in violation of its Forced Labor Convention No. 29. The first is the Anti-Parasite law (article 209 RSFSR Criminal Code) because it directly or indirectly compels all citizens to work under menace of criminal penalties, including imprisonment or exile.⁷ The second is the law which regulates the conditions for termination of membership for the 12.6 million collective farm households (1969 Model Collective Farm Rules and a 1975 Order).

Contrary to ILO urging, in January 1983 the Soviet authorities put into effect the new and expanded provisions of the "Anti-Para-

^{6 7} See footnotes on p. 234.

sitism" law. Under the new provisions of article 209 the term for first time offenders is increased from 1 to 2 years and for repeat offenders from 2 to 3 years of imprisonment. Furthermore, the definition of the "crime" of parasitism has been broadened: the words "systematic" and "for a protracted period of time" have been left out. In the future, any Soviet citizen who does not work for even a brief period is eligible for prosecution as a parasite for "engaging in vagrancy or begging or leading a parasitic way of life."

According to the official June 1984 report of the ILO Conference Committee on the Application of Conventions and Recommendations (CCACR), the Soviet Government repeated its claims that this law was applied only against gambling and fortunetelling. Despite well-documented cases showing that this law is used in reprisal against Soviet citizens engaging in unorthodox activities, the Soviet official position was: "It was not a question of condemning people for (gambling or fortunetelling) . . . , rather, the concept of the legislator was based on the social value of productive work in Socialist society."

The second law criticized by the ILO is the one which regulates the conditions for termination of membership for the 12.6 million collective farm households (1969 Model Collective Farm Rules and a 1975 order). The ILO found fault with the stipulation that members of a collective farm can leave only if they are given permission by the the kolkhoz (collective farm) managing committee and by a general meeting of the entire membership. Collective farmers who do leave the collective farm without such permission are denied their work records (which are held by the collective farm management.) Without these records, they cannot find other employment and even risk eventual arrest as "parasites." These provisions, according to the ILO, constitute forced labor.

Soviet ILO representatives promised five times that they will resolve the collective farm membership problem. A Soviet official referred to a 1982 decree mandating timely consideration of a member's request to leave the collective farm as evidence of Soviet compliance with ILO provisions.

In a minor ILO victory, the Soviet Government in 1984 modified the conditions under which a collective farmer may leave the farm. In an annex to its Decree No. 139 of February 8, 1984, the Presidium of the Collective Farm Union Council "issued an explanation concerning the application of clause 7 of the model collective farm rules, indicating that requests by collective farm members to leave these farms could not be refused," states the 1984 CCACR report.

The U.S. Government ILO representative noted it had taken 10 years of ILO pressure before the Soviet Government amended its legislation. The U.S. representative went on to inquire how the new law would be publicized so that Soviet collective farmers would learn of it. The Soviet representative responded that "the explanation of the Union Council of Collective Farms and all its decisions, were brought to the attention of the republic and regional bodies as well as the collective farms as a normal practice." (1984 CCACR report.)

Previous SCEE Commission reports have discussed the problem of providing accurate statistics on forced labor in the Soviet Union. Estimates range from 4 million (State Department) to 6 million

(the Independent Interprofessional Workers' Association), with others in the middle. While there is little agreement on the total number of forced laborers in the U.S.S.R. today, there is general agreement that compulsory labor is very important to the Soviet economy. During the November 1983 Helsinki Commission hearing on forced labor in the U.S.S.R., U.S. Deputy Under Secretary of Labor Robert Searby stated: "The Soviet Union systematically employs forced labor on a scale larger than any other nation in the world to a point where it is endemic to Soviet society."

When it comes to statistics on forced labor camps, there is little agreement. The State Department, in its November 1982 report, gives a total of 1,100 labor camps. Georgy Davydov, a former Soviet political prisoner, gives a figure of 2,520. In any case, the widespread reliance on prison labor in the U.S.S.R. is clear.

In theory, Soviet prison labor is regulated by laws. In practice, prisoners are often punished for asking that camp administrators observe such regulations. For example, prisoners must work 8 hours a day, 6 days a week—7 hours longer than the usual Soviet workweek. Often, prisoners must work even longer; they never receive overtime pay.

In theory, Soviet prisoners are supposed to be paid at the same rates as other Soviet workers. A Ministry of Internal Affairs order, however, sets prison pay at 5 percent less. When factors such as obsolete equipment (which lowers efficiency) and arbitrary rates set by the administration are included, the wage situation is much bleaker. Half of a prisoner's earnings is automatically deducted for housing; tax and legal fees must be paid from the rest. Only from what is left over can the prisoner buy a meager range of poor quality food at a camp store.

Frequent on-the-job accidents in camp are caused by the prisoners' poor health, inadequate lighting, or by defective or improperly maintained equipment. Of course, the artificially high output norms established by the authorities also force prisoners to work too fast, leading to accidents.⁸

Despite continuing international protest, the Soviet Government shows no sign of lessening its reliance on forced labor. On the contrary, the RSFSR Supreme Court Presidium in October 1982 established a new type of forced labor facility: "These institutions, known by the uplifting title of educational labor prophylaxis centers, apparently will be in an intermediate status between the educational labor colonies for minors and the work therapy prophylaxis centers for alcoholics."⁹

Unofficial labor unions

Previous CSCE Commission reports have described two efforts to establish unofficial labor unions in the U.S.S.R. to serve as real advocates for Soviet workers. Official Soviet trade unions take their cue from Lenin's dictum that they are to function as "party transmission belts." The first was the Association of Free Trade Union Workers (AFTU) formed in late 1977; the second was the Free Interprofessional Association of Workers (SMOT) set up in October

^{8 9} See footnotes on p. 234.

1978. Both the AFTU and SMOT met with unrelenting hostility from the Soviet authorities. Unfortunately, the Soviet state still exhibits a hostile attitude towards AFTU and SMOT members.

The fate of imprisoned Vladimir Klebanov, AFTU founder, speaks volumes about Soviet intentions towards labor activists. Since early 1978, Klebanov has been incarcerated in a series of psychiatric hospitals: Dnepropetrovsk, Makeevka, Donetsk, and, since September 1983, Tashkent Special Psychiatric Hospital.

In 1983, the Soviet authorities mounted a major campaign against 10 SMOT members who were still at liberty. In January, Boris Kanevsky was tried for "anti-Soviet slander" and given a 5-year term of exile; he confessed his "guilt" at the trial. Russian geologist and SMOT founder Vladimir Skvirsky was sentenced in February 1983 to 3 years in camp for "anti-Soviet slander." On February 28, Valery Senderov was sentenced to 7 years camp and 5 years exile for "anti-Soviet agitation and propaganda." SMOT member, Irina Tsurkova, was given a 3-year camp term on March 15 for "anti-Soviet slander." Viktor Yanenko received a 7-year camp term plus 5-year exile term for "anti-Soviet agitation and propaganda" on April 18. Vladimir Gershuni was tried in April and found "nonaccountable" for his actions. Two SMOT supporters, Rostislav Evdokimov and Vyacheslav Dolinin, were sentenced on April 5 to 5 years camp plus 4 years exile, and 4 years camp plus 2 years exile respectively. Former history student Aleksandr Skobov, a SMOT council member, was sentenced on May 4 to compulsory psychiatric treatment for "psychopathic paranoia" for "anti-Soviet agitation and propaganda." SMOT founding member, Lev Volokhonsky, was sentenced on May 24 to 5 years camp plus 4 years exile for "anti-Soviet agitation and propaganda." In December 1984, SMOT representative council member Vladimir Sytinsky, went on trial for "anti-Soviet slander" and later was sent for psychiatric incarceration. Despite such reprisals, however, SMOT continues to function.

Initiative Group for the Rights of the Disabled

The Soviet authorities have been just as stern in their reaction to the Initiative Group for the Rights of the Disabled. This group was formed in 1978 to improve the situation of millions of disabled Soviet citizens. Today, despite repression, the Disabled Rights Group still issues bulletins and protests.

One of the main efforts of the group was to form an All-Union Society of Physically Disabled Persons, a nongovernmental association modeled closely on the already existing official All-Union Societies of the Blind and the Deaf. Indeed, the basic purpose of the Disabled Rights Group was very similar to the aims of these legal organizations: to provide members with educational programs, technical training and a network of special industrial enterprises to employ the handicapped. Furthermore, from 1925 until 1956 there had been an official Soviet group for the handicapped: the Invalids' Federation.¹⁰

¹⁰ See footnote on p. 234.

Official repression directed at a Disabled Rights Group member, war invalid Vasily Pervushin, tells much about Soviet intentions. Arrested at his home in Novosibirsk, 58-year-old Pervushin was severely beaten by the police and taken to a local psychiatric hospital, where he remains today. Officially diagnosed as suffering from "a mania for social justice," Pervushin was sentenced on November 11, 1983 to an indefinite term of psychiatric detention.

Russian Social Fund

The Russian Social Fund, established by Aleksandr Solzhenitsyn in 1974 after his expulsion from the U.S.S.R., was concerned with the welfare of prisoners of conscience and their families. World-wide royalties for *The Gulag Archipelago* provided an average annual income of \$120,000 to help about 1,000 families. These royalties were supplemented by contributions from Soviet citizens which amounted to 25 to 40 percent of Fund revenues.¹¹ The Fund aided people regardless of their religion, nationality, or social background and had branches in many parts of the Soviet Union. Fund chairpersons such as Aleksandr Ginzburg and Malva Landa were imprisoned or exiled, but the Fund continued its work.

But in May 1983, a spectacular trial began in Leningrad. Fund activist Valery Repin, 32-year-old former journalist, went on trial for treason. Arrested in December 1981, the KGB had been working Repin over for many months. There were also dozens of house searches. Indeed, *The New York Times* reported, "the scope of the KGB's efforts and the length of the Repin trial . . . suggest the priority that the authorities here attach to the suppression of the Fund."¹²

At his trial, Repin spent hours confessing that he had become a "thoughtless pawn" of the CIA through his Fund activities and that he tried to get "military-political" secrets.¹³ Repin maintained that he would only give money to former prisoners if they supplied him with needed information about the camps and numbers of troops.¹⁴ Several dozen activists were witnesses at the trial, many supporting Repin's new views, while others, such as SMOT activist Lev Volokhonsky, expressed sorrow at Repin's transformation. Repin was sentenced to 2 years camp plus 3 years exile—a very light term for "treason."

One month earlier, Sergei Khodorovich, Fund manager, was arrested in Moscow and charged with "anti-Soviet slander." The KGB claimed in the Soviet press that the Fund was financed by the CIA. In the fall of 1983, Khodorovich's wife was told that her husband had been beaten up in prison and suffered a fractured skull as a result. To protest his treatment, Khodorovich went on several lengthy hunger strikes.

During his December 1983 trial, Khodorovich told the court that he had been beaten over a 2-month period. He rejected the prosecutor's suggestion of bad cellmates, insisting that the man who beat him had been a guard who wanted him to recant. Khodorovich pled not guilty, and was sentenced to 3 years strict regimen camp for "anti-Soviet slander."

^{11 12 13 14} See footnotes on p. 234.

After Khodorovich was arrested, art critic Boris Mikhailov and translator Andrei Kistyakovsky, briefly served as Fund administrators. Kistyakovsky wrote a lengthy document rebutting Repin's charges and defending Khodorovich. Both men were subjected to strong KGB pressure to withdraw from the Fund. Kistyakovsky left due to extremely poor health; Mikhailov withdrew due to church influence. Today, Soviet prisoners of conscience and their families—with the exception of Baptist organizations—are assisted through more informal means.

In 1985, in his camp in Norilsk, Siberia—the coldest spot on the globe—Khodorovich was subjected to systematic beatings to force him to confess. When that did not succeed, Khodorovich went on trial in camp for disobeying camp authorities. In April 1985—just as he should have been released—Khodorovich received another 3-year camp term.

Conclusion: Soviet society has long suffered from major social ills—just as all societies do. Under Gorbachev's campaign for *glasnost* or publicity, the Soviet media has begun at least to discuss some of these problems. Alcoholism has been tackled as a major target of Gorbachev's efforts to increase efficiency. The price of vodka has been sharply increased. There is public pressure to imbibe less. Alcoholics and their families are urged to seek medical treatment.

Unlike other social and economic problems, alcoholism bears no ideological baggage. Other major Soviet problems, such as the inherently inefficient collectivized Soviet agriculture, are clearly connected to the Soviet political structure. Still other serious problems, such as increased mortality rates largely caused by deficient medical care, require increased funding. But increased funding for medicine, education, housing, or transport is impossible as long as the Soviet military sector takes up some 14 percent of the Soviet GNP.

The fate of Soviet citizens who independently have called attention to social, economic or labor problems remains grim. Organizers of independent labor unions have faced particularly harsh punishment which shows no sign of easing. Even Soviet war invalids who have asked for an improvement in their situation have not met with success. Ironically, many Soviet citizens currently are imprisoned for criticizing some of the same conditions which now the Soviet leadership is decrying.

CULTURAL RIGHTS

Soviet Legal Provisions: Article 50 of the U.S.S.R. Constitution grants Soviet citizens freedom of speech and press "in accordance with the working people's interests and for the purpose of strengthening and developing the socialist system." Other constitutional provisions make it clear that it is the U.S.S.R. Communist Party which "leads, guides and determines" these interests.

The Soviet Criminal Code has several articles which penalize those who exercise freedom of speech and the press. These two articles are article 70, RSFSR Criminal Code, "anti-Soviet agitation and propaganda," and article 190.1, RSFSR Criminal Code, "anti-Soviet slander." (See *New Soviet Laws* section.)

In recent years, the Soviet Government has undertaken a battery of measures to restrict communication between the Soviet population and the rest of the world. Taken together, these measures constitute a major effort to isolate the Soviet population in the area of culture.

Soviet Cultural Policy: Pronouncements on Soviet culture make clear that it is the party which is in control. Typical of such statements is a March 16, 1986 *Pravda* editorial, "The Artist's Place is in the Front Line." "The party supports and will continue to support all literary and artistic talent imbued with party mindedness and the popular spirit. Ideological principle and exactingness, respect for talent, and tact constitute the norm for party organizations' work with the artistic intelligentsia." The editorial also defines the role of the artist in society: "The place of literature and art lies in the working lineup."

The role of Soviet culture is still essentially defined as a "transmission belt" for party values—if not commands. Nevertheless, the last several years have seen some changes in Soviet cultural policy, as the Soviet Union has shifted gears under three Kremlin chiefs. Under Andropov, there was relative cultural liberalism, while Chernenko imposed cultural orthodoxy. Under Gorbachev, there has been a return to relative cultural liberalism. Basically, however, the party is struggling to find the most effective way of making culture a convincing propaganda vehicle.

In early 1983, two *Pravda* editorials lashed out at "hackneyed speculations on topical themes," demanding a higher professional and artistic level. Other articles criticized production problems such as defective printing, but also discussed artistic failings. Typical is this excerpt from No. 6, 1983, *Literaturnaya Gazeta*: "Any defective product, even in the artistic field, deserves to be condemned. . . . It is high time . . . to measure successful literary images against the living practice of Communist construction and to propagate them widely, becoming a sort of coauthor with the writer."

A tough new policy on culture was pronounced at the party Congress in July 1983. The pressure on Soviet cultural figures to conform to Soviet orthodoxy intensified in 1984. The new Soviet leader, Konstantin Chernenko, made several speeches exhorting artists to return to the glorious Soviet art of the past. In September 1984, for example, Chernenko addressed the Soviet Union of Writers plenum. He laid down the gauntlet to all independent artists:

There can be no indulgence of manifestations of lack of principles and ideological rectitude. . . . It is naive to think that one can blacken the moral-political pillars of our system and at the same time expect benefits and recognition from it. And, of course, the people will not forgive anybody who has gone over to the side of our ideological opponents in the bitter struggle that is going on in the world today. There can be no two opinions about that.¹⁵

Western cultural influences of all kinds were denigrated. Popular music was particularly hard hit. Western albums were removed

¹⁵ See footnote on p. 234.

from record stores and illegal re-recording of imports was banned. Soviet rock groups were forced to disband or sanitize their acts.

This crackdown on Soviet culture may have been a factor in two outstanding Soviet artists' decisions not to return to the U.S.S.R. In 1984, while working in Europe, theater director Yuri Lyubimov and film director Andrei Tarkovsky opted not to go back to the Soviet Union. Indeed, in a September 5, 1983 interview with the *London Times*, Lyubimov asserted that Soviet cultural policy, as implemented by Minister of Culture Pyotr Demichev, was causing dozens of leading Soviet cultural figures to leave the Soviet Union.

Mikhail Gorbachev's campaign for greater *glasnost* or publicity in the Soviet press has had important effects on general Soviet cultural policy. Indeed, in the past year there have been noticeable signs in various areas that the liberalization of Soviet culture is underway.

In an interview with *L'Humanite*, for example, General Secretary Gorbachev even admitted that censorship existed. Even more unusual, on February 8, 1986, *Pravda* ran the complete interview, including Gorbachev's claim that Soviet censorship is limited to data on military secrets, war propaganda, brutality, humiliation of individuals and pornography. Other Soviet media reveal that the range of censored topics extends far beyond Gorbachev's list. The very existence of such discussions, however, bodes well for an improved atmosphere for Soviet culture.

Furthermore, Soviet authorities recently have shown a new attitude towards prominent cultural figures who have stayed in or emigrated to the West. In an interview with Western correspondents at the 27th Party Congress in March 1986, noted Soviet actor Mikhail Ulyanov spoke about Tarkovsky and Lyubimov:

Lyubimov was an actor at the Vakhtangov Theater, a very good actor. . . . The state entrusted him with the directorship of a theater, out of which he created an interesting collective. Then Lyubimov began to stage productions abroad. All of us, the actors at the Vaganka Theater, consider it a great personal tragedy that he has remained there. . . . The same goes for Andrei Tarkovsky. . . . Those were their personal decisions and tragedies and it was not malicious intent on the part of their country.

This attitude is in stark contrast to the denunciations of other Soviet artists who have opted to stay in the West. It also stands in notable contrast to the Soviet law, "Refusal to Return to the Soviet Union from Abroad," which is considered treason and punishable by imprisonment or death.

Another sign of possible change in Soviet cultural policy was the removal of 21-year veteran Pyotr Demichev, the Soviet Minister of Culture, in June 1986. Demichev, a chemical engineer by training, was noted chiefly for his battle against unorthodox culture in the 1970's and early 1980's.

There are other recent indications that Soviet culture may be moving in a more positive direction: the staging of more lively plays, the release of some previously banned films, and debate and innovation at recent Congresses of the Unions of Writers and Cinematographers (which will be described later).

Nevertheless, the essential dilemma for party ideologues who formulate Soviet cultural policy is summed up in the following Radio Liberty commentary:

(They) could either seek to raise the quality of and interest in new works by according writers (or other cultural figures) greater artistic independence or (they) could perpetuate the existing division of literature (or other art forms) into the professionally hopeless and unreadable works of party propaganda on the one hand and the gifted works that deviate from "the general line" but are liked by the reading public on the other. It has, however, rejected both these alternatives and opted for a dubious compromise. The goal is to make propagandist literature (or other art forms) more professional and interesting, while binding talented writers (or other cultural figures) closer to the party line.¹⁶

In other words, the party does not trust artists (or anyone else) enough to give them genuine independence from its dictates. Nevertheless, it recognizes that culture must be made more attractive to the Soviet people to meet its propaganda aims. Thus, Soviet culture remains harnessed to the party, but is enjoined to make its "product" more palatable. Debates at the recent Writers and Cinematographers Union congresses reveal that official Soviet artists are sharply divided over future directions for Soviet culture. Often, divisions are along generational lines.

Soviet censorship

Generally known by its former acronym of *glavlit*, the official title of the main Soviet censorship organization is the "Main Board for the Protection of State and Military Secrets in the Press, State Committee for the Press under the Council of Ministers of the U.S.S.R." *Glavlit* has divisions all over the Soviet Union with about 70,000 censors. Every publishing house and newspaper has a resident *glavlit* censor. There are other special censorship bodies; the largest, the military, has a staff of about 50. *Glavlit* is under the Central Committee Propaganda Committee, with a major, if tangential, relationship to the KGB.¹⁷

The procedure for censoring a Soviet publication begins with two copies of the material intended for publication being submitted to the censor who then peruses it for several days; 2 weeks is average for a monthly magazine. When he is finished, the censor invites authorized personnel to visit him for a "chat."

According to *glavlit* regulations, only the chief editor, his deputy, or senior secretary may meet with the censor. In practice, however, the editor in charge of a particular issue is allowed to confer with the censor. One *glavlit* rule is never broken: an author does not meet with the censor directly.

During this "chat," the censor may ask for the sources of specific information in the text, or he may ask if the KGB has given permission for the use of a certain photograph. If the censor has deter-

^{16 17} See footnotes on p. 234.

mined that certain information cannot be included, the editor asks for the censor's "suggestion" on how to change the text. The censor usually opts for dropping the entire paragraph. Finally, references in the article are checked.

When the censor has approved the text, he puts his personal stamp on every printer's sheet (which equals 16 pages of text). The head of the printer's shop refuses to print anything which does not have the censor's stamp, for he faces an 8-year prison term for printing over 10 copies of anything without the censor's stamp.

The material is then printed in 10 copies which are sent to the censor, 2 each to the Lenin Library, Agitprop, and the KGB. The censor compares the printed version with a copy of the original text. Only then does the censor give the go-ahead for the publication.

The Soviet censor is guided in making decisions by checking with the latest edition of the "Index of Information Not to be Published in the Open Press"—informally known as the "Talmud." This 300-page book contains the following sections: General Information; Agriculture; Transport; Economics and Finance. The index provides more detailed information on which it is always forbidden to publish:

1. Information about earthquakes, avalanches, landslides, and other natural disasters on the territory of the U.S.S.R.;
2. Information about fires, explosions, airplane, naval and mine disasters, and train crashes;
3. Figures on the earnings of Government and party workers;
4. Comparisons of the budgets of Soviet citizens and the prices of goods;
5. Information on seasonal and local price increases;
6. Reports about improved living standards anywhere outside the socialist camp;
7. Reports of food shortages in the U.S.S.R. (one can only discuss local bottlenecks);
8. Any average statistics on the Soviet Union as a whole not taken from the Central Statistical Bureau reports;
9. The names of any KGB operatives other than the Committee Chairman;
10. The names of the employees of the former Committee for Cultural Relations with Foreign Countries, other than the Chairman;
11. Aerial photographs of Soviet cities and the precise geographical coordinates of any populated point on Soviet territory;
12. Any mention of *glavlit* organs and the jamming of Western radio broadcasts;
13. Names of political leaders on a special list, including such major figures as Trotsky.

Perhaps the most basic censorship in the U.S.S.R., however, is self-censorship. The officially acceptable norms of cultural expression in the U.S.S.R. are well known. Cultural figures, who know the price for violation of official norms or who desire the perquisites of state rewards, tailor their works to fit party confines. Self-censorship applies to varied aspects of the creative process—writer, playwright, film maker, editor, publisher or cultural bureaucrat. The constraints of official plus self-censorship allow little space for individual expression.

Still there are some holes in the straitjacket of official censorship. Sometimes an editor or censor fails to catch something. And because the censorship mechanism is so complex, it sometimes breaks down. Moreover, Soviet artists have mastered the old technique of Aesopian language and Soviet audiences are adept at getting the message.

The role of artistic unions

Many Soviet cultural figures belong to "creative" or labor unions. Such unions include those for composers, cinematographers, writers and artists. Membership in such unions is a mixed blessing. It is through these unions that the party exerts the greatest pressure for artistic conformity. As Soviet emigre conductor, Maxim Shostakovich noted at an October 29, 1985 Helsinki Commission hearing: "The functioning of censorship begins at the creative union . . . In this way, the creative unions, such as the Composers' Union, are in charge of making sure that the censorship procedures are followed."

Although expulsion from the Writers' Union does not directly affect a writer's income from his publications, because his fees are not paid by this body, there are economic incentives for union members to ensure ideological conformity. For example, members receive passes to "Houses of Creativity" with special polyclinics for advanced medical treatment. There is also special high-quality housing. The unions also sponsor funds, mainly for members, to assist financially needy writers. The most important advantage to union membership, however, is preferential access to publishing houses, studios, and theaters. Although union members are not supposed to get better treatment, a non-union member's work is performed or published only rarely.

Literature

Within the general censorship system described above, the role of the literary editor is particularly important. A key task of the initial editor is to make sure that the literary manuscript conforms to the basic tenets of Socialist Realism. There must be a "positive hero," good (from the party perspective) must defeat evil and the general tone must be optimistic. The editor must also delete criticism of the Soviet system and ensure that Soviet life is portrayed brightly and that Western life is painted gloomily. If works do show negative characters or aspects of Soviet life, they cannot imply any tie to the Soviet system. Editors must also eliminate as many ambiguities as possible.

The laborious Soviet censorship procedure is time consuming, enervating and a waste of talent. A speaker at the Ninth Armenian Writers Union Congress in May 1986, for example, complained that it takes 3 to 4 years after submission to get a manuscript published.¹⁸ Noted Soviet poet Andrei Voznesensky said at the Eighth U.S.S.R. Writers' Congress, as reported in the June 27, 1986 *Pravda*, "It is no secret that the writer spends approximately 10 percent of his life writing a book and 90 percent pushing it."

¹⁸ See footnote on p. 234.

Robert Rozhdestvensky, another well-known poet, added: "The more talented and original a manuscript is, the longer it spends lying in publishers' offices. How long can it stay there? It can be 5 years, 7 years, or even longer."

The Eighth Soviet Writers Union Congress held in June 1986, was marked by frank and heated discussion of the serious problems facing Soviet literature. One complaint raised was the "table of ranks," according to which the content of critical articles, literary prizes, and the size of editions do not depend on the artistic merits of a given writer, but on the author's position in the union.

The Congress examined a whole range of topical issues: "from the destruction of nature to nationality conflicts; from shortcomings in the schoolteaching of literature to falsification of the election results for the Union of Writers leadership; from unwarranted mistrust of young writers, to the excessive number of pensioned-off former members of the *nomenklatura*, who do not write books but influence the atmosphere of the union."¹⁹

The crucial problem of censorship was also aired at this Congress, not only by individual writers but also by Union officials. As reported in *Literaturnaya gazeta*, (June 27, 1986) Mikhail Nenashev, chairman of the State Publishing Commission, said: "As practice shows, for the authors of new and daring ideas, for pioneers in literature, science and culture our publishing houses are often bleak and uninviting. Conservatives and opportunists feel more comfortable there."

Rectification of longstanding injustice to great Soviet writers of the past was another important theme at the Congress. Evgeny Evtushenko, for example, presented an appeal signed by 40 writers to create a museum to honor Boris Pasternak and called for the "publication of the complete works of (Anna) Akhmatova and (Boris) Pasternak." Stating that "our readers have matured enough to read everything," Andrei Voznesensky called for the publication of Evgeny Zamyatin, Vladislav Khodasevich and Lev Gumilev.

Although Soviet citizens read more than in almost any other country, boring "party-fied" literature and competing technologies such as TV and records have taken their toll. Some recent statistics reveal the sorry state of literature in the U.S.S.R. today. Between 1976 and 1980, Soviet libraries received 700 million new books, but 500 million were later written off as surplus because no one ever checked them out.

Despite the brave words, the recent Writers' Congress ended inconclusively. Andrei Voznesensky summed up the basic unanswered problem facing Soviet literature: "Our main enemy within is not the hard-hitting book, but the monster of bureaucracy and the inertia of the old way of thinking which hampers us now."

Recently there have been some instances of the reinstatement of writers who had been expelled from the Writers' Union. Two writers, Viktor Erofiyev and Evgeny Popov, who were expelled for participating in *Metropol*, an unofficial literary almanac published in late 1970's, were reinstated in late 1986. Another writer, Semyon Lipkin, who had withdrawn from the Writers' Union out of solidarity with his two colleagues, also was reinstated.

Some writers who reject official Soviet culture write works of artistic prose or poetry "for the desk drawer." Other writers who

¹⁹ See footnote on p. 234.

refuse to abide by state-imposed restrictions resort to publishing their works in unofficial or *samizdat* journals. In its struggle against dissent, the Soviet state has engaged in a major campaign against all types of *samizdat*, including *belles lettres*. As many as 50 Soviet writers of all kinds of materials are today prisoners of conscience in the U.S.S.R. (Please see attached annex of imprisoned Soviet writers.)

Grigory Aleksandrov, a prisoner in the Stalinist camps, was arrested in Tashkent in February 1983. He is the author of a book about the camps, *I Leave for the Outcast Villages*, and was involved in the Crimean Tatar struggle to return to their homeland. In the summer of 1983, Aleksandrov underwent psychiatric examination at the Serbsky Institute and was sent for forcible "treatment" at the Tashkent Special Psychiatric Hospital.

Nizametdin Akhmetov is a Bashkir poet who received the 1984 Rotterdam Poetry Prize. In 1982, he smuggled out an appeal to the Madrid Follow-up Conference from his Siberian camp. For writing that appeal, Akhmetov was charged with "anti-Soviet slander" in early 1983. In camp he was severely beaten and feared that his legs might have to be amputated due to thrombosis. Ruled "nonaccountable," Akhmetov is now interned in the Talgar Special Psychiatric Hospital.

Literary archivist Aleksandr Bogoslovsky, 47, was sentenced in July 1984 to a 3-year camp term for "anti-Soviet slander." Evidence against him consisted of distribution of some materials in his personal archive, such as *Russia in 1839* by the Marquis de Custine.

Russian nationalist writer, Leonid Borodin, was sentenced on May 19, 1983 to 10 years camp plus 5 years exile for "anti-Soviet agitation and propaganda." Awarded the 1983 Freedom Prize by the French PEN Club, Borodin was convicted largely on the basis of his recent poetry and prose works.

Lithuanian Liudas Dambras, a 65-year-old chemist, was sentenced in October 1984 to 3½ years in camp plus 2 years in exile for "anti-Soviet agitation and propaganda." His crime: memoirs he wrote on his 10 years in Stalin's camps. Dambras suffered a heart attack during the pre-trial investigation and collapsed during his trial.

Jewish worker, Georgy Feldman, was arrested in late 1982. He was charged with "anti-Soviet agitation and propaganda" for his manuscripts of poetry and prose dedicated to Sakharov and to the Jewish people. In June 1983, Feldman was tried and received a 6-year camp sentence.

Electrician Boris Grezin was arrested in Moscow in August 1983, and was charged with writing "pornographic" and "anti-Soviet" poetry. He received a 4-year camp term, although he admitted his guilt.

Lithuanian economist, Vladas Lapienis, 79, was sentenced on March 29, 1985 to 4 years camp plus 2 years exile for his memoirs about a Stalinist labor camp. First jailed in early 1984 on charges of "anti-Soviet slander," Lapienis was then released due to his poor health.

Leningrad linguist, Mikhail Meilakh, was arrested in June 1983 for "anti-Soviet agitation and propaganda" for possessing and distributing the works of such Russian writers as Osip Mandelstam

and Vladimir Nabokov. He has also written and edited the works of Anna Akhmatova, A. Vvedensky, and Daniil Kharms.

Poet Irina Ratushinskaya, an honorary PEN member, was tried in March 1983 and sentenced to 7 years camp plus 5 years exile for "anti-Soviet agitation and propaganda." She is the first woman to receive the maximum term under this article—for her poetry and support for an unofficial labor union. During her first 2 years in camp, she was in an isolation cell for a total of 138 days because of her fasts and protests. However, in a surprising move, Soviet authorities released Ratushinskaya from camp on October 9. She has since been given permission to go to England for medical treatment.

Aleksei Razlatsky, deputy director of the Kuibyshev Computer Center, was tried in February 1983 for "anti-Soviet agitation and propaganda" and received a 12-year term of imprisonment. A member of the Soviet Writers' Union, Razlatsky was active in an unofficial socialist circle, the Vetrov Initiative Group.

Russian religious writer, Feliks Svetov, was tried in January 1985 and sentenced to 3 years in exile for "anti-Soviet slander." A member of the Soviet Writers' Union, Svetov and his wife, Zoya Krakhmalnikova, compiled anthologies of Russian Orthodox writings.

Moscow economist, Lev Timofeev, published articles in such official Soviet publications as *Novy Mir* (*New World*) and *Molodaya Gvardiya* (*Young Guard*). In the late 1970's, Timofeev began to contribute to the Russian emigre press. In 1981, his book, *The Technology of the Black Market or the Peasants' Art of Starving*, came out in the West. On September 30, 1985, he was tried and found guilty of "anti-Soviet agitation and propaganda," receiving a 6-year camp term plus a 5-year exile term.

The performing arts

The performing arts in the U.S.S.R. are all under the control of the "Glavrepertkom" (Main Committee for Control of Spectacles and Repertoire) in the Ministry of Culture. This special branch of the censorship apparatus decides what will be performed in theaters, cinemas, and concert halls.²⁰

Theater.—Soviet censorship of theater is very strict. Not only is it limited to banning a production, but, it also restricts the theatrical creative process.

There are three stages in the Soviet censorship of theater. First, the censorship of the text of a new play. Second, approval of the seasonal repertoire of each theater. Third, "acceptance of a production" presided over by a special theatrical censor. This stage of censorship is obligatory and essential. Productions may be banned (or postponed indefinitely for "reworking") on any pretext. Deletions or alterations to the text can also be recommended.

Considered the leading Soviet theater director, Yuri Lyubimov traveled to England in August 1983 to stage Dostoevsky's "Crime and Punishment." In an emotional interview with the *London Times* in September 1983, Lyubimov blamed Soviet censors for

²⁰ See footnote on p. 234.

blocking his last three productions in Moscow. Eventually, Lyubimov decided to stay in the West, despite regrets at leaving his beloved Taganka Theater.

As the debilitating effects of pervasive censorship of Soviet theater accelerated, a reaction set in. In 1986, for example, several lively plays were staged which dealt with genuine social problems. The hit play for 1986 at the Moscow Art Theater was called "The Silver Anniversary." Directed by Oleg Yefremov, the play dealt with corruption, morality and renewal, and was filled with soul searching and tears.

Recent Soviet press articles attest to the growing realization that Soviet theater is in dire need of new life. In a lengthy piece in *Sovetskaya Kultura*, (January 16, 1986) Peoples Artist of the U.S.S.R., Andrei Goncharov, minces few words in describing some of these problems. He begins by asserting, "Our theater can no longer live the way it does today." Turning to administrative issues, Goncharov notes:

I must say that in this most important part of our work (the formation of repertoire) we have acquired . . . a collection of absurd cliches and obsolete requirements.

The administrative structure of today's theaters . . . is obviously also obsolete and . . . retards progress. For example, there are nine (!) administrative levels above our Mayakovsky Theater alone.

In order to obtain permission to perform (a new play) it is necessary to knock on dozens of doors . . . When everything is finally completed, . . . either the play is no longer needed or the producer who planned to present it has left the theater, or even worse, fell ill and died.

Today the theater cannot independently take on for a performance a producer, artist or composer . . . (This) must be approved at an endless number of administrative levels. . . . We have almost no rights to initiative, no . . . opportunities for any production or artistic variations. We have only duties. . . . We become dependents, who merely await instructions from higher-ups.

Film and television

An elaborate system of official and informal censorship exists for Soviet cinema. The script department of each film studio develops a "creative" plan for the year. This plan is based on obligatory themes such as various anniversaries and celebrations, the Soviet village and countryside, Soviet industry, and Lenin. Scripts are planned by the studio director, the chief of the scriptwriting department, with the editorial council, the artistic council, and officials from the State Committee for Cinematography.

A film script must pass through about 20 stages of censorship control before actual film production can begin. Various types of censorship agencies may be involved, depending on the type of film. Military censors are usually involved in overseeing documentary films. In a final censorship stage, the U.S.S.R. State Committee of Cinematography submits a working copy of the script to the U.S.S.R. Central Committee.

Once the film is in production, it is again subject to various types of censorship, particularly in the editing stage. Before a film is actually released to the public, it goes through another complex series of censorship measures.

Recognition of the need for major changes in Soviet cinematography emerged during the Fifth Congress of Soviet Cinema Workers in 1986, symbolized by the unprecedented rejection of Sergei Bondarchuk as a Congress delegate. As Radio Liberty put it, "The cinema workers declined to elect as a delegate to their Congress a People's Artist of the U.S.S.R., a Hero of Socialist Labor, a Lenin Prize winner, the most honored and influential member of the Soviet film establishment, and the living incarnation of 20 years of stagnation under Brezhnev."²¹

The refusal to choose Bondarchuk as a delegate was not the only personnel change at the Cinema Workers' Congress. More important, the talented Soviet film director, Elem Klimov, was elected First Secretary. Klimov has spent most of his career unsuccessfully battling censorship. He promised to examine setting up a special board to deal with film censorship. Old time-servers were swept from office; gifted directors and scriptwriters took their places as Union of Cinematographers officers.

Regarding television, the Soviet Union has joined the rest of the world in the "TV revolution." An article in *Zhurnalist* (No. 8, August 1985) notes that the "average" Soviet viewer spends 2½ hours each day watching television, and over 3 hours on nonwork-days. After noting that Westerners spend more time watching TV, the author hastens to add that this is not because Soviet TV programs are any less popular.

Video has also caught the attention of the Soviet people—and the Soviet authorities. *Izvestiya*, (October 15, 1985) for example, asserts that "video is a new and very powerful ideological weapon. If we do not understand this in good time, and underestimate its possibilities, the vacuum will be filled by our enemies." The article goes on to criticize the generally underdeveloped Soviet video industry, and describes an underground video operation which charges young people 10 rubles to see decadent Western films. The ringleader was sentenced to 1½ years imprisonment for distributing pornography and organizing profit-making shows.

Ever vigilant, Soviet officials have introduced new articles in the civil codes of the Soviet Republics to deal with video "piracy." Article 174 Latvian Civil Code provides that:

The distribution of video cassettes, video disks, and other materials with recording, which by their nature may bring harm to the state and social order, and to the health and morality of the population, and equally the showing of similar recordings, will entail a warning or the imposition of a fine to a citizen in the amount of 50 rubles, and up to 100 rubles to officials, along with the confiscation of materials in the video recording and of the means which reproduce a video recording.

²¹ See footnote on p. 234.

An article in a Georgian newspaper (*Akhalgazrda Komunisti*, April 8, 1986) mentions two penalties applied against video "bandits." One, article 232 Georgian Criminal Code spells out penalties for making, showing or distributing pornographic material. Another, article 59, was recently introduced in the Georgian Administrative Code. It stipulates legal responsibility for buying and selling video materials for a profit of under 30 rubles, 50 rubles to 100 rubles fine may be imposed and materials confiscated.

Classical music

Music, as Soviet emigre conductor Maxim Shostakovich said at a 1985 Helsinki Commission hearing, is "in an advantageous position because it speaks a language which is not understandable. However, . . . when words are added to music, that's another question. A person will never hear an opera composed to works of Solzhenitsyn, for example, or works by the poet Akhmatova . . . or Akhmatov. Also, music which is connected to anything spiritual, religious, is not allowed," particularly if it is by a Russian composer. And "very contemporary works of music are not performed." In short, the basic aim of Soviet censorship of music literature is to hinder the circulation of works which do not fulfill any propaganda purpose.

The party recognizes only two types of music: the "relevant" (*aktualny*) and the "irrelevant" (*neaktualny*). Irrelevant or nontopical music includes music without any words; it is rarely played. Music with words is considered by the party to be relevant, topical and important.

The party criticizes composers for "unhealthy trends" such as neglecting vital contemporary themes of crucial social importance and displaying an exaggerated interest in technical experimentation. Nevertheless, famous Soviet composers such as Shostakovich, Khachaturyan or Kabalevsky were granted somewhat greater flexibility—perhaps in deference to their fame.

Soviet composers, like their literary colleagues, also write for the "desk drawer," playing compositions only for close friends. Sometimes these friends tape-record these works or mimeograph these scores. Thirty or 40 copies of these scores may be reproduced at the Union of Composers to be shown to performers. In this way, these works gain conditional recognition, although they are not performed.

Every Soviet performer has a document called an "Artist's Certificate" to which is attached a list of works he or she is entitled to perform. Whether he or she is a cellist, trumpeteer, pianist, or singer, this list contains the repertoire and a stamp authorizing him or her to perform these works until a certain date. Sometimes the performer is told that a work is forbidden or permitted. In this way, the performer knows what to include in programs. When Soviet artists perform abroad, they have a wider choice since foreign concert agencies have some say in compiling programs.

Popular music

Popular and official attitudes towards jazz in the U.S.S.R. have undergone many changes over the years. Alternately considered the product of the "decadent West" or the "cry of oppressed Ameri-

can blacks," today the Soviet Government allows some jazz groups to tour the United States and many jazz groups to play inside the U.S.S.R.

Jazz is very popular in the Soviet Union; there are about 170 jazz musicians and ensembles. The Latvian-based youth newspaper, *Sovetskaya molodezh*, publishes an annual jazz poll compiled by Soviet critics. Among the perennial winners of this poll are the Ganelin Trio from Lithuania (which went on a successful American tour in mid-1986), Nikolai Levinovsky's "Allegro," and German Lukanov's "Cadence." Leading musicians include pianist Leonid Chizhik, saxophonist Aleksei Kozlov, and the singer Larisa Dolina.

In the spring of 1984, the U.S.S.R. began a sweep against the "decadent" influence of rock music. Hundreds of Soviet rock groups were disbanded. Forty out of 80 pop/rock groups were disbanded in Ukraine alone. In Estonia, a popular rock group, "Magnetic Band," was disbanded at Moscow's orders. The Soviet press also stepped up its attacks on the nefarious effects of Western rock music on Soviet youth.

In October 1984, the All-Union Scientific Methodological Center, under the Soviet Ministry of Culture, issued an executive order to recording studios and discos recommending that records, compact disks and videos, as well as books and posters of over 100 Soviet and foreign musical groups be banned in Moscow. This order is part of the Center's struggle against the influence of bourgeois ideology and its effort to raise the artistic-ideological level.

Judging by recent Soviet press articles, this repressive campaign did not last long. Valery Sukhorado, general director of the Melodiya Record Firm, in *Komsomolskaya pravda* (November 10, 1985) promised a reader that a double album, "The Beatles' Best Songs," would come out in early 1986. A 14-year-old reader, asked why Melodiya does not release records by such popular foreign groups as Queen, Kiss and Video Kids which "you can hear in the discotheques, and their recordings are sold on the black market." Sukhorado rejected the idea of Melodiya producing such "low-grade, immoral products," saying that Russian classical music (part of traditional Russian culture promoted by the state) would remain its priority.

Ultimately, the Soviet authorities seem to have decided if you can't beat the rock groups, you might as well join them. An item in *Leningradskaya Pravda* (January 19, 1986) proudly describes the Leningrad rock club which "brings together" 40 amateur rock clubs and almost 500 rock fans under the aegis of the Inter-Union House of Amateur Art. This club organizes seminars, "Round Tables," and many concerts—50 in 1985 alone. In addition, there is an annual 3-day Leningrad rock festival-competition.

Not all Soviet musicians have been, however partially, welcomed into the official fold. A devout Baptist musician, Valery Barinov, organized a Christian rock group "Trumpet Call" in Leningrad which was very popular throughout the U.S.S.R. Denied opportunity to perform in public, Barinov's music was recorded and played on Western radio stations. In February 1984, Barinov was sentenced to 2½ years labor camp on false charges of trying to escape across the border into Norway. Barinov's bass player, Sergei Ti-

mokhin, was tried with him and given a 2-year term on the same charges.

Two Georgian Catholic musicians, Tenghiz and Eduard Gudava, formed the "Phantom" musical group with several other believers to call attention to their emigration efforts. The group gave private performances of classical music and songs in various homes in the Tbilisi area since late 1984. In 1985, a repressive campaign against the group intensified; in April, three members were summoned by the KGB and warned to stop their "anti-Soviet activities." On January 23, 1986, Eduard Gudava was sentenced to 4 years camp for "malicious hooliganism" after he hung a sign from his balcony demanding emigration. Eduard's brother, Tenghiz, was sentenced in June 1986 to 7 years strict regimen camp plus 3 years exile for "anti-Soviet agitation and propaganda."

Painting and sculpture

Soviet painters and sculptors are subject to the same pressures to conform as other Soviet cultural figures. Membership in the official painters' union carries the same obligations and advantages as other artistic unions.²²

After several well-publicized unofficial art shows in Moscow in the mid-1970's, city officials decided to establish a salon for avant garde art. Organized in 1978, the Moscow City Committee of the Graphic Artists' Union (Gorkom) set up a small salon in the basement of an apartment building on Malaya Gruzinskaya Street.

Unlike members of the official U.S.S.R. Artists' Union, Gorkom members could not get any health or other social benefits; they could not get studios and no official salons would accept their paintings for sale. Strict controls on what can be shown in the Gorkom salon has resulted in self censorship and uninspired shows. In late 1981, there were attempts to close the Gorkom, but vigorous protests prevented that. A Gorkom membership purge reduced numbers from 400 to 100.

The Moscow art scene was enlivened by the underground activities of a few art groups, such as *Collective Action*, *Toadstools*, and *SZ*. Members are young and well informed about Western art, particularly *Art Forum* (U.S.) and *Flashart* (Italy). Performance art is favored by these groups, especially *Collective Action*.

In late October 1982, one of the most important recent indoor unofficial art shows, *APTART*, was held in the one-room apartment of Nikita Alekseev of *Collective Action*. Artists who showed their work include Anatoly Zhigalov, Natalya Abalakova, Sergei Anufriev of Odessa, Roshal, and Konstantin Zvezdochetov. This show later became the basis of several well-received exhibits in the West. A second *APTART* show, featuring *SZ*, opened in early 1983, only to be closed on February 15 when KGB men came in, tore down some works, confiscated others, and threatened the artists with serious consequences if they continued. The work of these unofficial artists is preserved in an unofficial publication called *M.A.N.I.* (Moscow Archive of New Art); five volumes exist.

²² See footnote on p. 234.

Another exhibit, held outside and known as *APTART v nature*, was held in May 1983. About 150 people attended, viewing the performance art and installations. Two further *APTART* productions were held in September: an outdoor show called *APTART Beyond the Fence* and an indoor show known as *APTART in the Dark*. Other unofficial art performances in September 1983 included *Collective Action*, *Silver Doughnut*, *Vasya*, and *M*.

In February and March 1985, some Moscow unofficial artists were called for a meeting by Savostyuk, party secretary of the Moscow Union of Artists. Eight artists, including Nikita Alekseev and Francesco Infante, were told to cease contacts with the Paris art journal, *A-Ya*. They were asked how their materials had found their way to the West.

Some unofficial artists have been imprisoned for their art. Vyacheslav Sysoev, a well-known Soviet cartoonist who went underground for 4 years to evade arrest, was sentenced on May 12, 1983 to 2 years of imprisonment on charges of pornography. Mikhail Zotov, a self-taught artist, was placed in psychiatric detention in July 1981; his paintings were deemed "anti-Soviet slander." Suffering from poor eyesight, Zotov apparently was released from hospital before November 1984.

Conclusion

Soviet cultural policy in the past few years seems to have followed the zigs and zags of the three Kremlin leaders. Yuri Andropov's brief rule saw a slight easing of cultural constraints. After all, Andropov was rumored to be an admirer of Yuri Lyubimov's famous experimental Taganka theater. Konstantin Chernenko, on the other hand, was an orthodox party man, and this orthodoxy was reflected in his cultural policies. Chernenko's brief tenure was characterized by a crackdown against "decadent" Western cultural influences, particularly in popular culture. Under Chernenko, Soviet cultural life regained the most stagnant features of the Brezhnev reign.

Mikhail Gorbachev seems to have taken his cultural cues from Andropov, as he presides over the limited liberalization of establishment culture. Signs of such tentative liberalization: the staging of more lively plays, releasing previously banned films, and rejuvenating the leadership of Soviet artistic unions. Much of this may be part of Gorbachev's campaign for greater openness in Soviet society. An example is Gorbachev's open reference—unprecedented even if misleading—to the existence of censorship in the U.S.S.R.

There are some indications that Soviet cultural policy may continue on a relatively liberal path, including the recent elections in the Soviet Union of Writers and Union of Cinematographers; the softened official statements on Soviet artists who opted to stay in the West; and the greater originality of recently released Soviet films and plays.

Despite these modest signs of liberalization, however, Soviet artists must play by the rules of the Soviet Party game. Evidence of this is all too easy to find: Dozens of Soviet cultural figures who have gone beyond official limits are now in prison. After all, the main aim of Soviet culture is still to make official ideology more

palatable to the Soviet population—not to open Soviet culture to genuine individual talent.

NATIONAL RIGHTS IN THE SOVIET UNION AND THE BALTIC STATES

The nationality question has been described as the Achilles heel of the Soviet system. In the huge multi-national Soviet Union, tensions among national and ethnic groups are natural. Nevertheless, Soviet officials have usually portrayed the U.S.S.R. as a land of perfect ethnic harmony and equality—though recent official Soviet writings on this issue are more candid, or at least acknowledge the complexity of the issue. But regardless of Soviet representations of the nationality question, Western scholars note that the official policy of the Soviet Government remains linguistic and cultural russification.

Official Soviet attitudes

A comparison of some recent Soviet rulers' views on Soviet nationality issues is instructive. Yuri Andropov in late 1982 and early 1983 called for the development of a "well-thought-out, scientifically substantiated nationalities policy," admitting that "problems of relations among nations have not been removed from the agenda." Although Andropov referred to the "merger" of nationalities as the goal of Soviet society, he also said that "the party knows very well that the path to this goal is a long one."²³

After a 1982 Riga ideological conference, a series of proposals for improvement of nationality relations were issued. The proposals called for establishment of councils to study nationality relations in all *oblast*, *krai*, and republic party committees. They recognized that violation of Leninist affirmative action programs in party personnel decisions may lead to nationalist tensions. The proposals called for establishing sociological research centers in all republics. They also urged improvement of Russian-language training for non-Russians and "all possible" assistance to nonindigenous nationalities to learn the language of the Republics in which they live.²⁴

Konstantin Chernenko, short-lived Soviet leader, also pronounced on the nationality question in the U.S.S.R. In a June 1983 speech at the Central Committee plenum, Chernenko admitted that "the national question as such also exists in the mature Socialist society." Furthermore, at a later Central Committee plenum in April 1984, Chernenko said that nationality relations are not unchanging, since they are subject to new circumstances and the workings of time.²⁵

Unlike his predecessors, Mikhail Gorbachev has not made extensive comments on the nationality issue. Gorbachev is also the first Soviet leader since Lenin without any experience in a non-Russian republic. In addition, Gorbachev has made it clear that he is more interested in economic efficiency than ethnic concerns in party staffing and society at large. He made this point abundantly clear when he lumped republics together with purely administrative geographic designations such as *krais* in a speech to a December 1984 ideological conference in Moscow.²⁶

²³ ²⁴ ²⁵ ²⁶ See footnotes on p. 234.

Most republic First Party Secretaries, however, defend the practice of taking nationality into account in party appointments. Party Secretary Ligachev, as reported in *Kommunist* (No. 12, 1985), said "We must consistently strive to ensure that nationalities represented in party organizations are also properly represented in electoral party organs, including many leaders of these organs." Although he notes that "positive changes" are taking place in most republic organizations, he suggests that more should be done in Belorussia, Lithuania and the Bashkir Autonomous SSR.²⁷

One area in which the 15 Union Republics have gained more power is in their foreign ministries. With the exception of United Nations representation for Ukraine and Belorussia, foreign ministry positions used to be almost entirely ceremonial. In the 1970's, however, these ministries became active in the following areas: performing consular work, supervising foreign consulates in their republics, participating in all kinds of exchange negotiations, monitoring co-national emigre groups, and briefing local journalists on foreign policy questions.²⁸

A brief examination of the treatment of the nationality issue in the March 1986 party program, the first since 1961, is revealing. "In our multi-national state," the program noted, "with over 100 nations and nationalities living and working together, new tasks for improving nationality relations naturally arise"—which amounts to an acknowledgement that all is not perfect. Moreover in a seeming concession to non-Russian sensibilities, a few formerly ritual references to the Russian people and to "the formerly backward peoples" of the Soviet Union have been dropped.²⁹

The discussion on nationalities policy in the new party program, which is included in the section "CPSU Tasks in Perfecting Socialism and the Gradual Transition to Communism," is generally more muted than its 1961 variant. Certain references were dropped: to expand the powers of the Union Republics, to the decreased importance of the internal and international borders of the 15 U.S.S.R. Republics, and to the possible creation of inter-republican economic agencies. The earlier commitment to equalizing levels of economic development throughout the U.S.S.R. has all but disappeared.³⁰

Certain hackneyed elements of party nationality policy remain in place, particularly the idea that national groups in the U.S.S.R. should steadily draw together. Although complete national unity is envisaged, this goal will only occur "in the long-range historical perspective." Thus, the party has three main tasks: the general strengthening and development of the single multi-national state, combatting manifestations of localism and national narrow-mindedness, and the enhancement of each republic's material and spiritual potential within the framework of a unified national economic complex. On culture and language issues, the new party program is quite routine. It includes standard phrases on the mutual enrichment of national cultures, and on the need for every non-Russian citizen to master Russian as well as his own native language.³¹

This mixed attitude towards the complex issue of nationality relations in the Soviet Union is also reflected in the writings of influ-

^{27 28 29 30 31} See footnotes on p. 234.

ential Soviet scholars on this question. For example, in *Nauchny kommunizm* (No. 5, 1984) G.T. Tavadov outlines three basic approaches to the issue. One group, he notes, feels that the problem has been solved. Another thinks that the national question which was inherited from the Russian Empire has been solved, but that nationality questions nevertheless remain. The third maintains that only the general aspects of the national question in the U.S.S.R. have been resolved.

The author sides with the second group, pointing out that the Twenty Sixth Party Congress had made "a major contribution to the correct understanding of the national question." Tavadov suggests that the growth of national consciousness among the 100 or so nationalities of the Soviet Union may give rise to "national conceit," "a tendency towards isolation," or "a disrespectful attitude towards other nations and nationalities."

Tavadov also describes basic contradictions in the nationality sphere in the U.S.S.R. The first involves problems in keeping in balance the economic interests of the individual state along with those of the entire nation. The second involves economic relations among the national republics. The third derives from conflicts inherent in the multi-national nature of the national-state formations of the Soviet federation. According to Western specialist Solchanyk, "Tavadov's discussion of contradictions in the sphere of national relations may be taken as an indication of a more realistic approach to the national question by certain scholars and party experts."³²

Confirmation of the "more realistic approach" can be seen in the writings of Academician Yulian Bromlei, chairman of the Soviet Academy of Sciences Scientific Council for Nationality Problems. A recent article by Bromlei in the authoritative journal, *Kommunist*, provides an up-to-date look at party ideas on nationality relations.

Bromlei focuses on the problematic central Asian nationalities. He refers to various economic, social and demographic pressures in central Asia.³³ His solutions are few and far between. He argues that real national equality does not mean identical levels of economic development. Bromlei repeats Gorbachev's suggestion at the recent Party Congress that perhaps "the volume of resources allocated to social needs should be tied more closely to the efficiency of the regional economy." This new stress on economic efficiency may bring about major national dissatisfaction, especially in economically less developed areas such as central Asia.³⁴

As to ethnic preferences in party staffing, Bromlei favors a strictly internationalist personnel policy. Bromlei refers to recent party statements which advocate paying more attention to nonindigenous nationalities in the Union Republics. Their needs must be considered not only in regard to language, culture, and daily life, but also to ensure due representation at all social and political levels. Bromlei also supports Central Committee Secretary Ligachev's call for greater inter-republican exchange of party personnel.³⁵ Despite Gorbachev's silence on this issue, the question of due representa-

^{32 33 34 35} See footnotes on p. 234.

tion for all Soviet nationalities, including Russians who live outside the RSFSR, is still on the party agenda.

Language policy

Language policy is one of the most important areas in the Soviet approach to nationality questions. While official Soviet spokesmen stress that nationality relations are built on a principle of strict equality in the Soviet Union, Western observers note that a Soviet governmental policy of linguistic and cultural russification of the non-Russian half of the Soviet population is underway.

A typical statement of official Soviet views on Soviet language policy can be seen in this excerpt from *Soviet Turkmenistany* (September 10, 1985):

At the present time, Soviet schools operate in 52 languages of the peoples of the U.S.S.R., and radio and television in 67 languages. Our journals are published in 44 languages, newspapers in 56 languages, and books and brochures in 63 languages. By adding to this smaller peoples speaking their own languages who number only in the thousands, language primers are published in 90 languages. A total of 99.6 percent of the U.S.S.R.'s population is actively using their own literary languages, and 0.4 percent is using the languages of the Socialist nations of their own accord, because they live and work in these nations.

One Western expert on Soviet nationality policy, Ann Sheehy, has written:

The declared aim of current Soviet nationalities policy in the sphere of language is the achievement of what is termed universal "national-Russian bilingualism." . . . (This means that Moscow wants all members of the non-Russian nationalities of the Soviet Union to be fluent in Russian as well as in their own language. The strenuous efforts made by the party and the Government over the years to promote a knowledge of Russian among the non-Russian nationalities are often perceived by members of these nationalities, as well as by observers outside the Soviet Union, as a policy of linguistic russification. This interpretation is vehemently rejected in the Soviet press.³⁶

The success of this bilingual policy varies with the different regions of the U.S.S.R. National-Russian bilingualism is already close to being achieved in the RSFSR (where the non-Russian areas have been receiving most of their schooling in Russian since the late 1950's), Ukraine and Belorussia. Ukrainian, Belorussian and Russian are all closely related, although separate, East Slavic languages, and hence easy to learn for speakers of these three languages.³⁷

In the other Union Republics, particularly in Transcaucasia, central Asia and Estonia, bilingualism is far from the rule. Only one third of the population in these areas claimed to have a good command of Russian in 1979. In most non-Slavic Republics, most children of the local nationalities go to native-language schools, while

^{36 37} See footnotes on p. 234.

in the Baltic and Transcaucasian Republics most native students also receive higher education in their mother tongue.³⁸

Furthermore, genuine bilingualism most often results from daily interethnic contacts—and these are declining. In most Union Republic capitals and many major cities, there has long been a large Russian presence, creating a Russian-language environment. Recently, however, in the Caucasian, central Asian Republics and Kazakhstan, the Russian presence has declined in relative importance—and in Georgia and Azerbaidzhan in absolute terms. This decline in the Russian presence is due to a combination of a high native birth rate and Slavic out-migration.³⁹

This change in the language environment has resulted in certain changes in language policy and national rights. In regard to language usage, in Tbilisi, the Georgian capital, in 1959 one out of two inhabitants regarded Georgian as his or her native language; by 1979 that number had risen to two out of three. In the area of education, recent decades have seen a proportionally faster increase in the number of students attending native-language schools over Russian-language schools in 11 out of 12 non-Slavic Republics (except Estonia). In fact, attendance in Russian-language schools has actually declined in Uzbekistan and Azerbaidzhan. Earlier, native party officials, who were either uneducated or poorly trained, permitted the Russian language to dominate administration, higher education and industry. Today, non-Russian officials no longer have this attitude.⁴⁰

Partly in reaction to declining or stabilizing Russian language use in most non-Slavic areas of the Soviet Union, academician Bromlei has recommended that Russians and members of other nonindigenous nationalities learn the native languages of the republics to improve personal relations and increase linguistic adaptation. The 1982 Riga All-Union Conference on nationality relations also made this suggestion. Little action has resulted, except in Latvia and Estonia, where steps to improve teaching Estonian to non-Estonians were already underway.⁴¹

Other leading Soviet scholars on national relations, such as M.N. Guboglo, have clearly shown that Russian is their primary concern. He has written that the language model for "developed socialism" is "national-Russian bilingualism" grounded in "concern for the functional development of the native languages of the peoples of the U.S.S.R. and, at the same time, a desire to create conditions for the dissemination of the Russian language among them." In specific areas of language policy, Guboglo advocates: stepping up Russian-language publishing; paying more heed to the needs of the bilingual population in book printing; diminishing "privileges for the national languages" in publishing, languages, media, and education; and considering more the needs of the bilingual population in education and broadcasting.⁴²

"The Non-Russian Languages in the U.S.S.R.—Only for Poetry and Memoirs?" is the thought-provoking title of another Solchanyk article. Analyzing the publication output in Ukraine for 1980 (the latest year available), he reveals an initially impressive showing

^{38 39 40 41 42} See footnotes on p. 234.

for Ukrainian-language materials: a total of 640 literary works in Ukrainian compared to 200 Russian-language titles.

For specific subject areas, however, a different picture emerges. There were, for example, 298 scientific publications in Ukrainian, and 1,906 in Russian. Favorite propaganda themes in the U.S.S.R., such as works on socio-political topics, show 1,106 in Russian compared to 389 in Ukrainian. More books and brochures were published in Russian than Ukrainian in the following areas: physical culture and sport, culture and education, linguistics, printing, library science and bibliography. Ukrainian-language works outnumbered Russian only in literature and art.⁴³

The predominance of the Russian language in the Ukrainian media can be seen in television broadcasting. Data in a number of Ukrainian newspapers in 1983 shows a 2 to 1 ratio of television programming in Russian, although 80 percent of the population of the Ukraine is Ukrainian.

Obviously, language policy is recognized as a key element in the overall Soviet nationality program. As this brief survey of official Soviet positions shows, there is a wide diversity of views on language policy. Western specialists on Soviet nationality questions, not surprisingly, take more critical positions. Roman Solchanyk, for example, has shown that "since about 1976, the authorities have been following a deliberate policy of restricting the circulation of newspapers and journals in languages other than Russian, while promoting unrestricted growth of the Russian press."⁴⁴

Further evidence of restrictive Kremlin policies towards the non-Russian languages of the Soviet Union emerged in a series of new laws in 1981 on the language of legal proceedings. Under the new 1978 Constitutions of Ukraine, Belorussia, Estonia, Latvia, Lithuania, and Georgia, legal proceedings could be conducted only in the native language, or in the case of Georgia, in the language of the autonomous republic or *oblast*. In 1984, however, the U.S.S.R. Supreme Soviet ordered the introduction of new articles in the Code of Criminal Procedure for the U.S.S.R. and Union Republics, "The Language in which Legal Proceedings shall be Conducted." Legal proceedings are now conducted not only in the native language of the republic or state but also "in the language of the majority of the local population." In this way, Russian will make further inroads at the expense of local languages.⁴⁵

The Slavic Republics

There are three Republics in which East Slavic peoples are dominant: RSFSR, Ukraine and Belorussia. Official Soviet russification policies have been most successful in regard to eastern Ukraine, Belorussia and the numerous non-Russian enclaves inside the RSFSR.

Although Ukrainians and Belorussians are subject to intensive linguistic and cultural russification by the Kremlin, they are also viewed as "little brothers" in the Soviet national hierarchy. Even ethnic Russians are not free to develop their culture as they see fit, but must conform to Soviet strictures. Thus, these nationalities are

⁴³ ⁴⁴ ⁴⁵ See footnotes on p. 234.

in the somewhat anomalous position of being more privileged than the non-Slavs, but are still subject to obtrusive cultural and linguistic controls.

The potential nationalist feeling of 40 million Ukrainians has always been a source of concern to the Kremlin. In fact, it was mainly because he lacked the means that Stalin did not deport Ukrainians *en masse* to Siberia—as he had done with numerous smaller nationalities.

One fact points to the particular official repression meted out to expressions of Ukrainian nationalism: although Ukrainians account for 20 percent of the Soviet population, they comprise 40 percent of all Soviet prisoners of conscience. Indeed, the deaths of several leading Ukrainian prisoners of conscience reveal their harsh fate in the U.S.S.R.

Since May 1984, four leading imprisoned Ukrainian activists have died: Valery Marchenko, Vasyl Stus, Yury Lytvyn and Oleksy Tykhy. All four men died while serving 10-year terms in a special regimen labor camp, Perm 36. Notorious for its brutal conditions, Perm camp 36 is the worst category of camp incarceration for political prisoners. These four men promoted Ukrainian national and cultural identity and were imprisoned for their nationalist activities. Three, Tykhy, Stus and Lytvyn, were also members of the Ukrainian Helsinki Group.

Belorussian nationalists also face severe penalties for the peaceful expression of their views. For example, Belorussian worker, Mikhail Kukobaka, author of the *samizdat* essay *My Stolen Homeland*, was sentenced in 1985 for “anti-Soviet slander” to a 3-year term—his third on political charges.

Russian national rights advocates encounter major official obstacles in gaining genuine national and cultural rights for the Russian half of the Soviet population. One leading Russian activist, Leonid Borodin, a writer who served a previous 15-year term for his nationalist views, was sentenced on May 19, 1983 to 10 years camp plus 5 years exile for “anti-Soviet agitation and propaganda.” Another prominent Russian nationalist political prisoner, Igor Ogurtsov, is currently in exile. He has already spent 15 years in imprisonment for his activities. Russian rights advocate, Rostislav Evdokimov, was sentenced on April 5, 1983 to 5 years strict regimen camp plus 3 years exile. Charged with “anti-Soviet agitation and propaganda,” Evdokimov admitted to being a member of the Russian nationalist-emigre organization, the People’s Labor Alliance (NTS).

The Caucasus

The Caucasus, meaning language mountain, is aptly named. It is home to hundreds of ethnic and language groups scattered throughout its three Republics, Armenia, Georgia and Azerbaidzhan. Not surprisingly for such a diverse area, interethnic tension often runs high—sometimes directed as much at neighboring ethnic groups as Russians or Slavs.

One current example of interethnic tension in the Caucasus is the plight of the Saingilo Georgians in Azerbaidzhan. This small group of Georgian Orthodox Christians lives on the Azerbaidzhan-Georgian border among the Muslim Turkic population of Azer-

baidzhan. Discrimination by Azerbaidzhani authorities is chronicled in 1983 *samizdat* documents: a policy of forcible assimilation including the closing of Georgian-language schools and refusing to issue birth certificates with Georgian names; the destruction of Georgian houses and fields; anti-Georgian discrimination in hiring and promotion; the closing and destruction of Georgian Christian churches; cutting contacts between Saingilo Georgians and the Georgian Republic by embargoing Georgian-language textbooks and even jamming Soviet Georgian TV broadcasts.⁴⁶

In addition to such overt signs of interethnic tension, there are also more indirect expressions of nationalism. For example, support of Republic soccer teams is one of the few officially sanctioned outlets to vent nationalism. Occasionally, such feelings flare up in soccer violence—as in other countries. For example, when the Baku Oilmen of Azerbaidzhan lost to a visiting Armenian soccer team on May 7, 1985, some Azerbaidzhani and Armenian fans got in fisticuffs. Disorders spilled out of the stadium, “causing damage to shops and kiosks on the streets nearby.” (*Bakinski rabochi*, May 19, 1985)⁴⁷

In recent years, anti-Soviet nationalism found expression in Georgia. The year 1983 was key for Georgian nationalists: it was the 200th anniversary of the Treaty of Georgievsk under which Georgia became a protectorate of the Russian tsars. Ten people are known to have been sentenced to terms of imprisonment for protesting this treaty. On March 12, Zakarii Lashkarashvili, a taxi driver, and Taniel Ghviniashvili and Guram Gogopaidze (factory workers) were arrested for preparing protest leaflets.

A group of Georgian students and intellectuals publicly opposed the celebration of the Georgievsk anniversary, including two students, Irakli Tsereteli and Paata Sagharadze. Arrested on June 15, they were charged with “anti-Soviet slander” for printing and distributing leaflets calling for a boycott of the official celebrations and claiming that the Treaty of Georgievsk was a “tragedy” for Georgia. Some 100 to 200 people demonstrated in Tbilisi on July 11 calling for their release; arrests followed. In August, five others went on trial with the two students: Zurab Tsintsadze, a historian; Tamara Chkheidze and Mariam Baghdavadze, students; Gia Chanturi, a student; and L. Shakishvili, a TV editor. All the defendants received 3-year camp sentences, except Tsereteli who got a 4-year term.⁴⁸

In the last few years, there have been no known dramatic instances of internationality conflict in Georgia. Nevertheless, official Soviet statements indicate that serious problems remain. For example, in a speech to the 14th Georgian Central Committee plenum in July 1983, then Georgian First Party Secretary Eduard Shevardnadze said “in future we must show greater concern for the development of nationality languages, nationality cultures, and for the training of teaching cadres.”⁴⁹

Armenian nationalists continue to feel the heavy hand of the Soviet state. One leading Armenian nationalist, Paruir Airikyan, was sent to the Irkutsk region of Siberia to serve out his term of

^{46 47 48 49} See footnotes on p. 234–235.

exile, due to end in January 1987. According to unconfirmed reports, Airikyan was told in September 1986 that he will be allowed to leave the U.S.S.R. by the end of the year. In April 1984, three Armenian activists, Eduard Arutunyan, Sirvard Avagyan, and Rafael Oganyan, were each sentenced to 3-year terms of imprisonment. At the trial, Sirvard Avagyan announced that she had been tortured. Although the trial was postponed, it later reached the same decision. Eduard Arutunyan, a member of the Armenian Helsinki Group, died in camp in late 1984.

The Baltic States

The three Baltic States of Lithuania, Latvia and Estonia were illegally annexed by the Soviet Union in the closing days of World War II. To this day, the United States Government does not recognize the incorporation of Estonia, Lithuania and Latvia into the U.S.S.R. References to these three states within the Soviet sections of this report do not alter long-standing Helsinki Commission support for the U.S. Government position of nonrecognition of their incorporation into the U.S.S.R.

Expressions of nationalism in Latvia, Estonia and Lithuania are harshly treated by the Soviet authorities. For example, in 1982 Janis Paucitis and Ojars Vitins were arrested for tearing down a flag from the City Party Committee Building in Latvia. Paucitis later received a 1½-year camp sentence, while Vitins got a 2-year camp term. In another incident in Estonia, on the night of October 4, 1985 two twin brothers, Tiit and Yaan Valk, raised the flag of independent Estonia above a theater, after clashes between Estonian and Russian youths. The next day, troops were called in to quell any further disturbances. The Valk brothers and nine other people were arrested.

The year of 1983 was particularly difficult for national rights activists in the three Baltic States. In March 1983, for example, Latvian nationalist Gunnar Freimanis was arrested in Riga. He was accused of "anti-Soviet agitation and propaganda" for writing nationalist poetry. Maris Oss, a collector of Latvian folklore, was tried in January 1983 and received an unknown term of imprisonment for "hooliganism." A third Latvian activist, Ints Calitis, received a 6-year term of imprisonment in 1983 for "anti-Soviet agitation and propaganda." In a highly unusual move, Calitis was released in the summer of 1986 before the end of his sentence.

In nearby Estonia, authorities conducted a major anti-nationalist sweep: Lagle Parek was arrested on March 5, 1983, while Heiki Ahonen and Arvo Pesti were arrested on April 15. Parek was sentenced on December 19, 1983 to 6 years camp plus 3 years exile for "anti-Soviet agitation and propaganda." Pesti and Ahonen were both sentenced on December 19, 1983 to 5 years camp plus 2 years exile for "anti-Soviet agitation and propaganda."

Unfortunately, repressive moves against Baltic nationalists did not ease in the next few years. Well known Estonian political prisoner, Johannes Hint, died in a prison camp on September 5, 1985 shortly before his 71st birthday. Winner of a 1962 Lenin prize for his scientific inventions, Hint was a highly successful and innovative manager of a silicalcite plant. In the early 1970's, Hint developed contacts with the Estonian Democratic movement. In 1981,

the KGB discovered Hint had written a 40-page anti-Marxist tract, *The Fate of Some Honest Individuals of the 20th Century*. In 1983, Hint, already in very poor health, received a 15-year camp sentence on false charges of economic crimes.

Estonian Enn Tarto received a 10-year camp plus 5-year exile sentence on April 19, 1984 for "anti-Soviet agitation and propaganda." Latvian dissident, Zaigis Balodis, was arrested in 1985 and charged with "anti-Soviet agitation and propaganda" for the alleged creation of a secret "Free Latvia" organization. Balodis was sentenced to 3 years camp; his father later died under mysterious circumstances, and his mother was reportedly arrested.

Expressions of nationalist sentiment are not only on the individual level in Lithuania, Estonia and Latvia. On May 9 (the anniversary of Soviet "liberation" of Latvia in 1940) and May 14 (former Latvian Independence Day) of 1985, two riots took place in Riga, Latvia. Several hundred Latvian youths walked along the Komso-mol embankment demanding that the U.S.S.R. withdraw from Latvia. Apparently, three Russians were thrown into the Daugava River where they drowned. Some 300 Latvians were arrested and later released. In late September and on October 25, 1985, hundreds of Estonian and Russian youths clashed on the streets of Tallinn, according to an October 25, 1985 Associated Press report.

In March 1986, a group of Estonian scientists wrote an anonymous open letter which reached the West in the summer. The letter is primarily concerned with environmental issues. But they also voiced concern over russification through large new Russian settlements in Estonia. They point out that northeastern Estonia is almost completely russified and that planned construction of a new city near Rakvere which would have a population of 20,000 mostly Russian workers would extend russification further west.

Conclusion

Outspoken national and ethnic rights advocates continue to be imprisoned. A disproportionate number of political prisoners who have died in recent years are non-Russians. This indicates not only the harsh treatment of non-Russian prisoners of conscience, but also their high rate of incarceration, often for peaceful nationalist activity.

Major non-Russian nationalities are still subjected to an intense campaign of russification. However, in some areas, most notably the army, new attention is paid to meeting the needs of the non-Russian soldier—at least now in his free time he can speak his native language. It should also be noted that Russians who advocate a return to traditional Russian culture, with its strong emphasis on Russian Orthodox values, are also subject to official repression along with other national rights advocates.

It is clear that nationality policy will long continue to be one of the most sensitive areas for the Soviet regime. A judicious policy of bilingualism for the Soviet Union would be a welcome development. Unfortunately, the Soviet rulers still seem more interested in using draconian methods of russification.

ETHNIC MINORITY RIGHTS

There are 103 nationalities represented in the 1979 all-union census, 22 of which have over 1 million members, 49 with fewer than 100,000. Many of these ethnic minorities are Siberian peoples whose national cultures and languages were well on their way to extinction before the Bolshevik Revolution. Although the Soviet Government maintains regional ethnic museums, supports ethnic artistic ensembles, and devotes considerable energy to seminars and studies of ethnic minorities, their languages and cultures, one fact remains clear—ethnic heritage and culture is retained and promoted to the extent that the rule of Moscow is not threatened. Preserving the ethnic heritage of the approximately 13,000 Chukchis of eastern Siberia presents no threat to the authorities' political hold on the Chukotsky Peninsula. Allowing 40 million Ukrainians the same leeway, with their rich cultural heritage and historical opposition to russification, is clearly not in Moscow's interest.

The ethnic minorities described below have suffered ethnic discrimination that arises from political, and to a certain degree, historical factors.

Jews

According to the last Soviet census in 1979, there are approximately 1.8 million Jews living within the Soviet Union, although some observers believe the number may be closer to 2.5 million.

Among the many state-imposed barriers to full enjoyment by Jews of cultural and minority rights stipulated by the Helsinki Final Act and the Madrid Concluding Document are the following (based on an outline provided by the Institute of Jewish Affairs in London):

There is no Jewish education, no Jewish schools, nor schools in which Jewish subjects are taught. Neither are there private teaching facilities. Hebrew is taught only at a handful of Soviet academic institutions (to which access is reserved only for the politically reliable), and at the only remaining yeshiva in the U.S.S.R., part of the Choral Synagogue in Moscow. Despite the statement in *Izvestia* of December 24, 1976, that "no one in the Soviet Union is forbidden to study any language, including Hebrew and Yiddish," private courses in Hebrew and Jewish culture and history are suppressed and the teachers harassed and criminally prosecuted. In September 1985, at hearings before the Subcommittee on Human Rights and International Organizations of the U.S. House of Representatives, Morris Abram of the National Conference on Soviet Jewry testified that under General Secretary Gorbachev "Soviet Jewish Hebrew teachers continue to be arrested at an average rate of one per month."

Neither Yiddish nor Hebrew have been taught in Soviet schools since 1948. The only exception is Birobidzhan, where Yiddish has been an optional course since 1980. Birobidzhan is the Jewish Autonomous Oblast area on the Siberia-Chinese border established by Stalin in 1934. Out of the roughly 200,000 residents, only about 10,000 are Jews.

There are only two Jewish periodicals published in the entire U.S.S.R. Both are in Yiddish, a language understood by a dwin-

dling minority of older Soviet Jews, yet persistently touted by Soviet propaganda as the "mother tongue" of Soviet Jews. Russian is the first language of the vast majority of Soviet Jews, and Hebrew the language to which years of study are devoted by many Jewish cultural activists. The Yiddish language literary monthly—*Sovetish Heimland*—is published in Moscow with a print run of 7,000 (characterized as "massive" by *Leningradskaya Pravda*). According to the American Jewish Committee, "approximately half (of its print run) are exported to the West to prove to a skeptical West the existence of a Soviet Jewish culture." The other is *Birobidzhaner Stern*, the Yiddish language weekly of Birobidzhan, which "only reprints articles from the local Soviet newspapers and contains no Jewish content." According to TASS, "broadcasting is also done in Yiddish" in Birobidzhan. If absolutely desperate for other Yiddish reading material, a Soviet Jewish reader might avail him/herself of *Der Weg*, the organ of the Israeli Communist Party, which is sold on some newsstands. A miniscule number of books by Yiddish authors is published in the U.S.S.R. (eight in 1981 and six in 1982).

Books in any language on Jewish subjects are usually confiscated from visitors or the mail. For example, Hebrew translations of *Treasure Island*, *Call of the Wild*, *Pinocchio*, *Snow White and the Seven Dwarfs*, to name a few, have been confiscated from mail to Soviet Jews. The same fate even met Shapiro's *Hebrew-Russian Dictionary*, published in the Soviet Union. Jewish books published abroad are not translated into Russian in the U.S.S.R.

There is one Jewish library in the whole of the U.S.S.R.—in Birobidzhan. There is a Jewish section in one Moscow library, the Nekrasov Public Library. There exists only one Jewish museum, at the birthplace of Shalom Aleichem in Pereiaslav-Khelnitsky, Ukraine SSR. There is no Jewish art gallery or exhibition hall anywhere in the Soviet Union. Only one specifically Jewish Holocaust memorial exists outside a cemetery, in Latvia.

There are only two professional Jewish theater companies in the U.S.S.R. They are traveling companies, presenting a limited number of performances, with no premises of their own. A few amateur companies exist, and there are occasional concerts of Jewish music. There is no Jewish club, reading room or similar communal cultural institution in the U.S.S.R.

This lack of opportunity for Jewish cultural expression is accompanied by an ever-present Government policy of anti-Semitism. Officially, it is expressed in discrimination against Jews in employment and educational opportunities. Unofficially it takes on more ominous manifestations, such as physical attacks by "unknown assailants" against Jewish cultural activists. In addition, there are the numerous newspaper articles, brochures, such as "The Poison of Zionism" (Moscow 1984), and television films devoted to "exposing Zionist intrigues," the latter complete with film footage of various Jewish cultural activists who are accused of meeting with Zionist agents from abroad (read: Jewish tourists) and spreading anti-Soviet slander.

An example of anti-Semitism in print can be seen in the 19-20 April 1983 edition of *Leningradskaya Pravda*, which ran an article entitled "Caution: Zionism!: Culturebearers with a Skeleton Key:"

We have Philistines, money-grubbers, consumers who strive to enrich themselves by any means. By exerting an influence upon them through the use of any means—from massive broadcasts of the Voice of Israel and other subversive radio stations, to the transporting of Zionist literature from “lectures” by various emissaries at illegal meetings of nationalists, to clubs for the study of the ancient-Jewish Hebrew language and “Jewish” culture—the Zionists attempt to incite nationalist moods, to encourage people to immigrate to Israel or, in any case, having created around them a kind of spiritual ghetto, to form from them a Fifth Column of Zionism in our country.

Another favorite theme of “anti-Zionist” propaganda is the charge that during World War II, highly placed Jewish leaders conspired with the Nazis to round up Jews for the death camp.

On April 21, 1983, the creation of the “Soviet Public Anti-Zionist Committee” was announced. Ostensibly formed by eight Soviet Jews to “intensify the struggle against Zionism,” the Committee acts as an apologist for Soviet foreign policy, defends the regime’s internal policy toward Jews and emigration, while at the same time seeking to deflect charges of anti-Semitism against the Soviet Government. While not specifically attacking Jewish refuseniks and cultural activists, the Committee provides a groundwork for public antagonism against Jews who are not “loyal” to the regime line or wish to emigrate. For instance, in 1985, the Committee co-authored with the Soviet Association of Soviet Jurists the second volume of the “White Book,” a compilation that included accounts of alleged Zionist conspiracies against the Socialist bloc, the travails of unfortunate Jews lured to Israel and the West, and of Israeli “atrocities” in Lebanon. The “White Book” also attacks Jewish Hebrew teachers in the Soviet Union, specifically Yakov Gorodetsky (subsequently allowed to emigrate) and Grigory Wasserman, as carriers of “Zionist propaganda.” The chapter asserts that: “all these ulpani (Jewish schools) or ‘circles,’ and ‘clubs,’ are used by Zionist activists as their bases of operations in the U.S.S.R. and are mouthpieces for reactionary ideology.”

In early 1984, there was a brief spate of Government-sponsored activities connected with Jewish culture in the Soviet Union, including the publication of a Russian-Yiddish dictionary, considerable press coverage and ceremonies marking the 125th anniversary of the birth of Sholom Aleichem in 1859 (and who shares a birth-date, March 2, with current General Secretary Gorbachev) and two performances in Moscow by the Chamber Jewish Musical Theatre of Aleichem’s “Tevya from Anatevka”—known in the West as “Fiddler on the Roof.” The play was performed in Yiddish, which, as noted above, is spoken by few Soviet Jews. Less notable ceremonies were accorded the 50th anniversary of the founding of Birobidzhan—perhaps the authorities were less willing to expend the efforts on such an obviously failed enterprise.

The summer of 1984 saw a wave of arrests of Jewish cultural activists throughout the Soviet Union. During this time, a Jewish cemetery in Chernovtsy was desecrated and Jewish school children were attacked by their fellow-pupils. In Leningrad, refuseniks were

called into KGB headquarters and interrogated in connection with an alleged plot by the "Leningrad section of the Jewish Defense League" to blowup public buildings in the city.

The Jews of Tbilisi, Georgia, perhaps aided by publicity in the West, have been successful in temporarily dissuading city officials from demolishing the Ashkenazi synagogue, the site of which had been slated for a city square. The Ashkenazi synagogue is one of only about 60 that are left standing in the Soviet Union. As of August 1986, there were five rabbis in the Soviet Union, and no Jewish seminary.

In Leningrad, a Jewish womens' study circle has been established to meet to exchange ideas on topics such as Jewish cooking and traditions. Although denied official recognition as requested by the members, the group has apparently been able to continue its existence.

On November 16, 1985 a TASS broadcast in English noted the compilation by one Shimon Yakerson, keeper of the Hebrew collection of the Leningrad Institution of Oriental Studies, of a book of collected articles on "the first Hebrew books and their authors." In the broadcast, Yakerson is quoted as "refuting 'lies' of Westerners who claim that obstacles are put up in the U.S.S.R. in the way to the study of the (sic) Hebrew." Furthermore, notes Yakerson, Yiddish has always been the mother tongue of Russian Jews, and "claims that Jewish culture can be really developed only in Hebrew is profoundly erroneous." He also asserts, incorrectly, that Hebrew has not become the official tongue of Israel. All of this is an attempt to attach an intellectual justification to the regime's policy of harassment and persecution of independent Hebrew teachers.

During the reporting period, approximately 24 Soviet Jews were sentenced to labor camp or exile for their emigration/cultural activities. As of this writing there are at least 18 currently incarcerated, almost two thirds of whom were sentenced from mid-1984 to mid-1986. In many cases, Jewish cultural material, Hebrew books, information on Israel, and other Jewish objects have been seized by police and used as "evidence" of "slander" against the defendants. Other charges have been "hooliganism," "resisting arrest," and "draft evasion." In three cases, "possession of drugs" were the charges. Probably the best known of these "Prisoners of Zion" is Iosif Begun, who first applied to emigrate in 1971. Having served two internal exile sentences, Begun was convicted of "anti-Soviet agitation and propaganda" in October 1983. Yuli Edelshtein, Evgeny Koifman, and Aleksei Magaryk were framed on drug charges, and Aleksandr Kholmyansky was set up on an illegal weapons charge. Edelshtein is presently reported to be in poor health as a result of inadequate medical attention stemming from an accident at the Vydrino labor camp. Vladimir Lifshitz, sentenced in March 1986 to 3 years labor camp for "dissemination of slander" was badly beaten by criminals in his cell prior to his trial. Yakov Mesh (subsequently emigrated) and Iosif Berenshtein were sentenced for "assaulting police officers;" Berenshtein and another imprisoned refusenik, Zahar Zunshine, were also beaten in jail. Berenshtein is almost completely blind as a result. Authorities claim that he injured himself while peeling potatoes.

And the children suffer. In a letter to First Lady of the United States, Nancy Reagan, 25 refusenik women wrote in 1985 that:

Our children experience the same overwhelming feeling of uncertainty and fear. . . . They are called names, they are called "Fascists". . . . There have been occasions on which our children were severely beaten. A Jewish child wearing a skullcap, missing classes on Saturday, saying a prayer before eating bread, is ostracized from the administration, teachers, and classmates. Our children turn to their mothers each time they see a militia man on the street. . . .

Crimean Tatars

The situation of the Crimean Tatars, forcibly relocated to central Asia (primarily Uzbekistan) during World War II, has changed little since the previous report. In 1945, all cemeteries and mosques in Crimea were demolished. At the same time, party authorities ordered all names of Tatar origin to be changed. Out of a population of approximately 500,000, an estimated 5,000 have been given permission to return to their homeland in Crimea since the Tatars were officially exonerated by the Soviet Government in 1967 for alleged collaboration with the Nazis. Another 3,000 are thought to reside there illegally. Attempts by deputations of Crimean Tatars to discuss repatriation with authorities in Moscow have continued to meet with failure.

A letter from 25 Crimean Tatars to the Islamic Conference in 1983 called attention to the persecution of those Crimean Tatars within Crimea and accused the Kremlin of "openly proclaiming a policy of Slavization" of Crimea. A later *samizdat* report dated fall 1985 reported that:

The persecution of Crimean Tatars (in Crimea) continues unabated as before. Without permission of the KGB, they cannot get jobs or register for residence. Marriages are not registered if one of the spouses is registered outside of Crimea. Men whose families have miraculously managed to register for residence are forced to leave . . .

Authorities have also interfered with the burial of deceased Crimean Tatars in their homeland if they were not registered for residence there.

An extensive *Bulletin No. 2* of the Musa Mamuta Action Group of Crimean Tatars (Musa Mamuta immolated himself in 1978 in protest against Soviet policy toward Crimean Tatars), dated August 1983, noted extensive efforts by Soviet authorities in Uzbekistan to establish new regions for settlement by Crimean Tatars, to replace Tatar language instruction with Russian, and, in general to impress upon the Crimean Tatars a feeling of permanence regarding their presence in Uzbekistan. The *Bulletin* also points out efforts by party authorities to co-opt Crimean Tatars into this plan by appointing them to substantial party positions, but suggests that even among well-placed Crimean Tatars, these efforts have enjoyed little success.

According to the *Bulletin*, censors in Uzbekistan have prohibited the Tatar language newspaper in the Republic from using Tatar terms for the major cities of Crimea: Sevastapol, Simferopol, and Evpatoria, as well as the term "Tatar ASSR." On the other hand, "Crimean Tatar"—as opposed to the larger language group designation "Tatar," has been permitted for identification of newspaper and radio services in Uzbekistan since July 1984.

Of the four Crimean Tatars imprisoned on political charges and for their efforts to repatriate, probably the best known is Mustafa Dzhomelev, "the personification of the tragic destiny of the Crimean Tatar people" in the words of Zinaida Grigorenko. Dzhomelev was re-arrested in camp in September 1986 for "habitual disobedience to the demands of camp authorities but given a suspended sentence and allowed to return home."

In March 1983, repatriation activist Nurfet Murakhas was sentenced in Tashkent to 2½ years strict regime camp for "dissemination of slander. . . ." Yuri Osmanov was imprisoned from 1982-85 on similar charges. In June 1984, Smail Bilyanov, a Crimean Tatar activist from the Tadzhik SSR, was expelled from the party for having raised the Crimean Tatar issue before party officials. He was arrested in August 1984; as of February 1986, his fate was unknown. In April 1986, the Rishat Ablav and Sinaver Qodirov were tried on political charges in Tashkent. At this writing, their sentences are unknown.

Germans

As noted in our previous report, Soviet Germans were deported from their former homeland in the lower Volga region at the outset of World War II, and are now scattered throughout the Soviet Union. About half of the almost 2 million Soviet Germans are now located in central Asia, the other half throughout the RSFSR. Efforts made by the Soviet Government to retain the prewar heritage of the original Volga Germans have been limited and insufficient. According to available information, German cultural institutions allowed by the Government include only the following: three German language newspapers, brief radio broadcasts in German from four major cities in central Asia, a dramatic theatre established in 1980 in Kazakhstan, and one bimonthly literary/publicist journal. The German language is taught in many schools with large ethnic German concentrations, but for only 2 or 3 hours a week. Eduard Becker states in *Russia* (Vol. II, 1985):

Even the cursory retrospective comparison with the prewar cultural life of the German population . . . gives the graphic impression that from the past rich cultural inheritance of the Germans today almost nothing remains . . . the intensive forty-year assimilation rooted out of the Germans many substantial signs of a nation: language, culture, psychology, and a distinctive tenor of life.

In addition, the constant stream of "anti-Fascist" materials—films, newspapers articles, etc.—has had a negative psychological effect on young Soviet Germans, who reject their national heritage rather than be identified with the German invaders of the 1940's.

About 70,000 Soviet Germans have emigrated to the Federal Republic from 1970 to 1983, with approximately another 1,300 leaving in the following 2 years. Estimates of the number who wish to leave range from 100,000 to 500,000. As a result of various forms of protest against emigration refusals, there are about 10 Soviet Germans currently imprisoned. Many of the Soviet Pentecostals who have been attempting to emigrate from the Soviet Union since the signing of the Helsinki accords are of German ethnic background.

One concession to the German minority may be the election of one Andrei Georgievich Braun to the position of First Secretary of the Tselinograd Oblast Party Committee in September 1986. If Braun is indeed an ethnic German, it would be the first such elevated party position for a member of that minority since 1941.

Poles

According to the 1979 all-union census, there are about 1.1 million members of the Polish minority in the Soviet Union, primarily as a result of Soviet territorial acquisitions resulting from the Treaty of Riga in 1921 and World War II. There are a total of 46 elementary and 3 secondary schools in Ukraine and Lithuania where Polish is the language of instruction; however there are none in the RSFSR, Moldavia, or the Asian Republics. Graduates of these Polish-language schools encounter discrimination in employment upon completion of schooling. Emigres from the Soviet Union have reported that in the 1970's institutes of higher learning were told not to admit Poles as well as Jews. It has been claimed that there are around 60,000 Poles in Soviet labor camps and another 100,000 in internal exile.

There is a Polish-language party newspaper published in Lithuania, with a circulation claimed to be almost 50,000. The Lithuanian press also claims the existence of other Polish printed publications and "Polish amateur ensembles and theatres." The Catholic Church, a vital component of Polish ethnic heritage, is severely repressed; at present there are only 50 churches or chapels in existence. All the dioceses were abolished following World War II.

Meskhethians

In January 1985, it was reported by the Georgia press that between April and September 1984, 14 Meskhethian families from central Asia, 73 persons in all, were being allowed to return to western Georgia. The Meskhethians were among the peoples of the Caucasus area who were deported to central Asia by Stalin during World War II. The article claimed that an unspecified number had been allowed to return previously and that the process is continuing, although no specific figures were offered. It is not clear, however, whether these new returnees are being allowed to return to the areas where they resided prior to the war. There is also concern, given the fact that the Georgian heritage of the people in question was stressed in the article, that Meskhethians of Armenian and Kurdish background may not be included in the repatriation process. It has been suggested that permission for the Meskhethians to return to the Georgian SSR is prompted less by a sense of justice than concern for the existing labor shortage in Georgia. One in-

formed source wrote in 1976 that there were 300,000 Meskhetian exiles in various areas of central Asia and the RSFSR.

"Saingilo" Georgians

The Saingilo Georgians are ethnic Georgians of predominately Christian background living in Azerbaizhan near the border of that Republic and Georgia. According to *samizdat* reports, these Georgians have been subjected to educational, employment, and religious discrimination by Azerbaizhani authorities; their houses and fields have been destroyed, and villages flooded to provide water for Azerbaizhanis. Georgian-language textbooks have been seized by local authorities, and Georgian-language television signals are deliberately jammed.

Others

Finally, sporadic reports of active resistance by lesser known ethnic groups to sovietization and russification were received during the reporting period: clashes between Yakuts and Russians in Yakutia, resistance by Gypsies, who according to the *Ukrainian Catholic Chronicle* are considered by Soviet authorities the "pariahs" of Transcarpathia.

RIGHTS OF RELIGIOUS BELIEVERS

There has been no discernible improvement in the situation of religious believers in the Soviet Union since the last CSCE Implementation Report. Continuing the post-1979 pattern, the rate of arrests of religious activists has doubled in recent years. According to Keston College, as of November 1986 there were 392 known religious prisoners of conscience in the U.S.S.R. Soviet laws on religion remain largely unchanged, despite granting religious groups the legal status of persons under the law. Discrimination against religious believers in daily life, accompanied by frequent attacks in the Soviet press, also continues.

Soviet legal provisions

The restrictive nature of Soviet legislation on religion—which contravenes Helsinki and Madrid pledges—has been described in previous reports. There have been no major improvements in the legal status of religious believers in the U.S.S.R.

Soviet legal experts have several times recently referred to a planned comprehensive revision of legislation on religion. The most authoritative exposition of this revision is contained in *The Journal of the Moscow Patriarchate*, No. 1, 1986. Probably the most important revelation is confirmation of a new legal status for religious groups in the Soviet Union:

A religious community enjoys the rights of a person in law so that, when the need arises, it can, acting within the limits of this status and in accordance with the procedure laid down by law, construct and purchase buildings for its own needs and acquire means of transport, church uten-

sils, and objects of the religious cult at its own expense, and exercise its right to ownership of them.⁵⁰

This new status for religious organizations is a rather significant change in Soviet law, replacing two previous formulations: a decree signed by Lenin in 1918 and a 1929 resolution "On Religious Associations." Both of these documents state that "religious communities and groups of believers do not enjoy the rights of a person in law."⁵¹

In practice, however, there is evidence that Soviet religious groups over the years did in fact retain some limited rights as persons under the law. Thus, the new law, while an ostensible minor improvement, may be seen as legalizing a situation which had existed *de facto* for many years.⁵²

Official Soviet attitudes

Soviet leader Mikhail Gorbachev opened the 27th Party Congress on February 25, 1986 with a 5-hour speech which delved into all areas of party policy. There were few references to religion and no indications of any major shift in policy. Atheist education was described as an important part of party ideological work. Gorbachev did raise religion in the context of nationality questions, criticizing artistic and literary trends which "under the guise of national originality idealize(d) reactionary nationalist and religious survivals."

A standard formulation of official Soviet views on religion is included in the party program adopted by the 27th Party Congress: "The party will use all forms of ideological influence for the wider propagation of a scientific understanding of the world, for the overcoming of religious prejudices without permitting any violation of believers' feelings."⁵³

Soviet authorities put great stock in the development of new Communist rites to supplant religious ones. Such rites include pre-festival day shifts, mass demonstrations, peoples' outdoor fetes, Komsomol youth weddings, solemn registrations of newborn children, evenings of labor glory, the Hammer and Sickle spring festival, livestock breeders' days, and special "sending off" ceremonies for young military conscripts.

An article in *Nauka i Religiya* (*Science and Religion*, September 1985) described the scope of atheist propaganda in the U.S.S.R. The All-Union Secretariat of the *Znanie* (*Knowledge*) society runs 40 "houses" of scientific atheism. In addition, the Central Soviet Trade Union Body and the Ministry of Culture run other atheist programs. Six bodies have their own atheist propaganda arms: *Znanie*, Ministries of Culture and Education, Higher Education, Committee for Professional Technical Education and the Trades Union Central Executive.

Every year, over 200 speakers from the Central House organize some 9,000 individual lectures, 314 series of lectures, 46 "people's universities," 320 symposia, 85 lectures plus films, 220 question-and-answer evenings, and 130 Round Table discussions on atheism at 1,500 enterprises and Government departments. Training

^{50 51 52 53} See footnotes on p. 235.

courses for lecturers on atheism have annual enrollments of 1,000 students.⁵⁴

A lead article in *Pravda* (October 18, 1984) is fairly typical of frequent calls in the Soviet press for vigilance and efficacy in the struggle against religion. Entitled "Atheist Convictions for the Youth," the article says that the Soviet people, particularly young people, must be on guard against subversion by Western imperialist circles. The best way of doing this is to observe the Leninist dictum that "we should struggle against religion . . . armed by our ideology . . . making use of our press and the power of the written word." Several areas are singled out for criticism of their poor atheist education. The town of Vladimir, an ancient Russian Orthodox center, was targeted. Two traditionally Catholic areas near Poland—and the possible influence of the Polish Pope—were also mentioned: The Lvov area of western Ukraine and Lithuania.

On the republic level, an article ominously titled "Dark Trance" appeared in the *Komsomolets Kirgizii* (*Kirgiz Komsomol*, September 4, 1984), written by S. Vishnyakov, deputy religious affairs official for Kirgizia in Central Asia. Berating local believers of various faiths for conducting religious propaganda in public, he referred to singing and chanting religious songs in public and holding outdoor services. (Since these unregistered groups do not have any sanctioned place of worship, they are forced to meet under open skies.) He warned that such actions violate regulations:

Citizens using their rights and freedoms must not damage the interests of society and the rights of fellow citizens. (Article 39 of the Constitution) Members of unregistered, "illegal" religious groups are also ignoring article 19 of the Law on Religious Associations which restricts the practice of religion to the house of worship.

Vishnyakov closed by warning these unruly believers that they are breaking the law and may end up serving sentences of up to 5 years. Citizens were told that it is their duty to report such activities to the authorities at once.⁵⁵

Nevertheless, the official Soviet line on religion is still up-beat. Some comments by Russian Orthodox Metropolitan Filaret of Kiev and Galicia at a Moscow press conference in December 1985 illustrate this. After citing the constitutional rights of Soviet believers, Filaret claimed there are over 20,000 diverse religious communities in the U.S.S.R.

The Soviet media usually avoids mentioning precise figures on believers and churches. Information, however, occasionally surfaces, as for example, an article in *Sovetskaya Belorussia* (November 27, 1985), which refers to the "unsatisfactory situation which has developed in the (Miory) region with a total of 13 working churches, Catholic churches and sectarian (houses of prayer)."⁵⁶

A book entitled *Religion and the Church in Soviet Society*, written in 1984 by the then-chairman of the U.S.S.R. Council on Religious Affairs, Vladimir Kuroedov, provides some useful—even if unreliable—official Soviet statistics on religion in the Soviet Union. Kuroedov claims that the Russian Orthodox Church has 8,500

^{54 55 56} See footnotes on p. 235.

churches, the Roman Catholics have 1,120 (of which 650 are in Lithuania), the Lutherans 690, Baptists and Adventists over 2,000, and the Jews 120 synagogues. He also describes the opening of new houses of worship since 1977: 33 new Orthodox churches, 129 Lutheran churches, 40 Catholic ones, 69 mosques, and about 300 small Baptist, Mennonite and Pentecostal churches. According to his figures, 850 new "communities" were registered with state officials, while 1,305 were denied registration.

Western statistics, however, suggest a different reality. Estimates by Keston College researchers indicate a range of 6,500 to a maximum of 7,500 Russian Orthodox parishes—compared to over 50,000 in 1914 in the Russian Empire. Moreover, official permission to register a church is often hard to obtain and authorization to build a church is a slow and far from automatic process.⁵⁷

There have been some personnel changes in the leadership of the Council for Religious Affairs (CRA) in the U.S.S.R. (The CRA is the official Soviet organization which controls official religious life in the Soviet Union.) Vladimir Kuroedov, 79, stepped down as CRA chairman in January 1985 "at his request for reasons of health." His successor is Konstantin Kharchev, 50, formerly Soviet Ambassador to Guyana, who has no known experience in the area of religion.

More revealing of the real CRA function—namely, restrictive control—is the biography of a leading CRA official. Vladimir Fitsev, CRA deputy chairman, died suddenly on March 10, 1985. Fitsev had been a "meeter and greeter" of foreign church dignitaries. Probably few of these dignitaries realized that Fitsev's previous assignment, with KGB colonel rank, had been as head of the KGB church affairs department.⁵⁸

Russian Orthodox Church

The Russian Orthodox Church, which under Soviet rule has subsumed the Ukrainian and Moldavian (Rumanian) Orthodox Churches, has some 40 million adherents. Soviet state officials claim lower church membership, while Western experts say there are some 50 million members of the Russian Orthodox Church. But even with the low figures provided by the Soviets, the Orthodox Christian community in the U.S.S.R. numbers in the tens of millions.

High-level Russian Orthodox churchmen, who are usually official spokesmen for the regime, always put the best face on Russian Orthodox religious life. Metropolitan Filaret's comments are typical: "The Russian Orthodox Church alone publishes more than 10 periodicals, and liturgical books are printed in editions of several thousands."

In a modest advance of materials available to the Russian Orthodox community in the U.S.S.R., TASS announced on December 10, 1985 the publication of the 1986 *Orthodox Church Calendar*. In addition to the liturgical calendar, lists of the church hierarchy, reproductions of icons, and the 26th collection of *Liturgical Works*,

^{57 58} See footnotes on p. 235.

there are special articles on the 1988 celebrations planned for the millenium of the conversion of Kievan Rus to Christianity.⁵⁹

The continued Soviet crackdown against authors and distributors of religious *samizdat* shows that believers continue to risk imprisonment to gain access to scarce religious materials. The Service Orthodox de Presse reported in May 1986 that a group of Orthodox believers in the U.S.S.R. have managed clandestinely to reproduce and distribute thousands of copies of prayer books, New Testaments and theological works.

Many involved in Russian Orthodox *samizdat* have had to pay dearly. A Russian Orthodox priest, Father Vladimir Fedorenko, arrested before 1982, was later sentenced to 5 years in camp. He is now in a labor camp in the Donetsk region of Ukraine. Another Russian Orthodox priest, Father Aleksandr Pivovarov, was arrested in early 1983 in the Krasnoyarsk area of Siberia for duplicating and circulating religious literature. In the fall of that year, Pivovarov was charged with "engaging in a forbidden trade" and "speculation." Although the trial did not prove that Father Aleksandr had circulated religious literature for profit, he was sentenced to 3½ years camp.

One Moscow couple, the writers, Zoya Krakhmalnikova and Feliks Svetov, compiled a Russian Orthodox journal, *Nadezhda* (*Hope*), for which they were imprisoned. Zoya was sentenced to 1 year in prison and 5 years of internal exile on April 1, 1983 for "anti-Soviet agitation and propaganda." Feliks was sentenced on January 8, 1986 to 5 years exile (later reduced to 3 years) for "anti-Soviet slander." Mikhail Bombin, an Orthodox Christian from Latvia, was sent to the Serbsky Institute for Forensic Psychiatry in early January 1986; he had earlier been searched and detained for possession of religious literature. Russian Orthodox believer, Sergei Markus, was sentenced on July 18, 1984 to 3 years camp for "anti-Soviet slander." During a house search, a wide variety of religious materials were confiscated from him. In late 1985, TASS made public an open letter from Sergei Markus in which he expressed "regret;" Markus made a public confession on Soviet TV on January 4, 1986.

Another chronic difficulty facing the Russian Orthodox community is the shortage of churches. Jane Ellis, author of a recent book on the Russian Orthodox Church, estimates "no more than 6,500 Orthodox churches in the U.S.S.R., for at least 50 million worshippers—or would-be worshippers—and of those churches, many are tiny village churches which have only one service a month."⁶⁰

The national shortages for Russian Orthodox Churches are reflected in Leningrad. Although the Chapel of the Blessed Xenia in the Smolensk Cemetery was renovated in Leningrad,⁶¹ the Leningrad Russian Orthodox Old Believer sect apparently faces the demolition of one of their two churches.⁶²

The sorry state of Russian Orthodox monasteries is another area of grave concern. Even according to official Soviet data, in 1917 there were some 1,200 monasteries on the territory of Russia. At

^{59 60 61 62} See footnotes on p. 235.

present, there are only some 20 functioning monasteries in the U.S.S.R.⁶³

Forced curtailment of monastic life is a major problem for the Russian Orthodox Church because *all* Orthodox bishops are drawn from its ranks. State control over monastic life—shown in the decreased number of monasteries, and the declining number and quality of monastics—allows the state to shape the Russian Orthodox Church episcopate.⁶⁴

One encouraging action in this respect is the 1984 return of the 700-year-old Danilovsky Monastery to Russian Orthodox Church control. The Danilovsky will become a new church administrative center. Confiscated by the state soon after the 1917 Revolution, the venerable monastery was used as an orphanage, a prison, an umbrella and a refrigerator factory. This is only the second time in Soviet history that a monastery has been returned to the church.

Since the Danilovsky Monastery is in such bad condition, it will cost many millions of rubles to repair. In early 1986, the Moscow Patriarchate launched an appeal abroad for restoration funds. Apparently, the Soviet state has even made a special arrangement to ease the collection of hard currency for this purpose.⁶⁵

Another Russian Orthodox monastery scheduled for restoration is the Solovetsky Monastery, one of the first—and most notorious—Soviet prison camps. In August 1984, the Soviet Council of Ministers passed a special decree to expedite the restoration and preservation of the Solovetsky Monastery so that “during the 12th 5-year plan, the unique Solovetsky sanctuary will become ever more beautiful and *attract more and more tourists* (italics added).”⁶⁶ In another action aimed at preserving the cultural value of monasteries, *Sovetskaya kultura* (September 1985) reported that a former monastery worker in Pskov, northern Russia, was sentenced to 11 years of imprisonment for stealing and selling icons—considered valuable state property.

The case of Father Pavel Lysak reveals how Soviet authorities are fearful of signs that religion is attracting a growing following among young people. A Russian Orthodox monk, Father Pavel Lysak, was forced by state authorities in 1975 to leave the St. Sergius Monastery. Denied the right to live in the Moscow area, Lysak was arrested in September 1984 for staying in Moscow without a residence permit. Tried in December 1984, Lysak was sentenced to 10 months of imprisonment for “violation of passport regulations.” The real reason for Lysak’s imprisonment was his dynamic personality which attracted many young people in Moscow.

In one small city, Krasnovodsk in the Islamic Republic of Turkmenia, two Russian Orthodox priests have been imprisoned. The first was Father Pavel Adelheim who was sentenced in the early 1970’s for his religious activism. The second is Father Nikolai Temirbaev, sentenced in June 1984 to 2 years imprisonment on charges of “hooliganism.” Little is known about the case except that Temirbaev supported Adelheim’s actions.

There have been at least two recent slanderous attacks on priests in the Soviet press. The first, in the Soviet trade union newspaper,

⁶³ ⁶⁴ ⁶⁵ ⁶⁶ See footnotes on p. 235.

Trud (June 6, 1984) claims that Father Temirbaev imposed very hard penances on his parishioners, that he beat his wife and tried to strangle one of his parishioners. A second article in the Uzbekistan *Pravda Vostoka* (*The Truth of the East*, May 20, 1986) attacks another Russian Orthodox priest, Father Vasily Kravchenko. The article, written in an offensive style, indirectly accuses the priest of immorality and directly accuses him of embezzlement of church funds. The author calls for Father Vasily's arrest, asking why he is still the priest at the Almalyk Church of The Dormition and recommending that the regional Procurator examine this matter.

Russian Orthodox believer, Pavel Protsenko, was arrested in Kiev on June 4, 1986 and charged with "anti-Soviet slander." Essentially, Protsenko's "slander" consisted of defending the reputation of well-known Russian Orthodox priest, Father Dmitri Dudko. Another believer, historian Ivan Martynov, lost his job at the Academy of Sciences in Leningrad and was charged with "parasitism" after he accused Soviet media and academia of anti-Semitism. In January 1985, he was sentenced to 6 months compulsory labor and a 20 percent cut in wages. In a recent open letter to the West, Martynov complained of poor health due to his subsistence diet.

Opportunities for believers to meet and discuss religious topics are very limited in the U.S.S.R. Some Russian Orthodox believers decided to organize an unofficial Christian Seminar and met in Moscow from 1974 until 1980. Members of this seminar have been harassed and imprisoned: Aleksandr Ogorodnikov, the founder, was first sentenced in 1980 to 6 years camp plus 5 years exile, and in 1986 he received an additional 2-year term for violation of "camp discipline." (His wife was told that he will not receive any family visits or mail until the end of his sentence.) Sergei Ermolaev, who served a 4-year camp term, was told that new charges may be brought against him at any time. Vladimir Poresh, after serving the 4-year camp portion of his term, was tried in October 1984 for "malicious disobedience" of camp officials and got a new 3-year camp term—though in February 1986 Poresh was inexplicably released from camp early. Boris Razveev, sentenced on September 3, 1984 to 3 years camp, later recanted on Soviet TV in April 1986, virulently attacking Ogorodnikov and Father Gleb Yakunin.

Father Gleb Yakunin is the leader of the Christian Committee to Defend the Rights of Believers, established in 1977. The Committee collected and publicized the problems of thousands of religious believers of various denominations throughout the Soviet Union, writing and compiling hundreds of pages of reports. But the Committee soon fell afoul of Soviet officialdom, leading to various repressive actions. After Father Gleb received a 10-year term of imprisonment in 1979, the Committee continued its work in a low-key way. In late 1984, Father Gleb began his 5-year term of exile in a remote and particularly cold corner of Yakutia, Siberia.

The most notable recent example of Committee activity was Father Vladimir Rusak's appeal on the Russian Orthodox Church to the July 1983 World Council of Churches (WCC) general assembly session in Vancouver. Father Vladimir also called attention to the plight of the Christian and Catholic Committees. Appealing to the WCC delegates as "the last and most authoritative church organization,"⁶⁷ Rusak asked that the WCC General Assembly con-

⁶⁷ See footnote on p. 235.

sider the difficult situation of believers in the U.S.S.R. Although the Archbishop of Canterbury supported this idea, WCC representatives refused to include it on the agenda—although they promised “to respond to it through official channels.”⁶⁸

Three years after making this appeal, Rusak was arrested. He graduated from the Moscow Theological Academy and for many years worked in the editorial offices of the official *Journal of the Moscow Patriarchate*. But when it was learned that he was writing a history of the Russian Orthodox Church under Soviet rule, he was dismissed from his job. After Rusak refused to prevent publication of his work in the West, the KGB confiscated his archive in 1983. Rusak was forbidden to work in the church unless he recanted. To avoid imprisonment for “parasitism,” Rusak worked as a street sweeper until his arrest on April 22, 1986. On September 27, 1986 Deacon Rusak was convicted of “anti-Soviet agitation and propaganda” and sentenced to 7 years strict regimen camp plus 5 years exile.

As can be seen, it is a dismal fate for those who step outside the narrow bounds of what is permitted to religious believers in the U.S.S.R. In exchange for some advantages given it by the state in recent years, the Russian Orthodox hierarchy pays a heavy price: It must ignore believers who defend the church and it must deny repression of the church. Despite this slightly advantaged position *vis a vis* the state, the Russian Orthodox Church still faces severe shortages—in clergy, churches, Bibles, monasteries, and literature.

The Orthodox Church in Ukraine

Since the Orthodox Church in Ukraine was forcibly subsumed into the Russian Orthodox Church, any statistics—even official Soviet ones—are difficult to obtain. Indicative of the religious vacuum in Ukraine—created by the merging of the Ukrainian with the Russian Orthodox Church and the banning of the Ukrainian Catholic Church—is the fact that about half of the converts to underground evangelical Protestant groups come from Ukraine.

The Cathedral of the Assumption (in the famous Monastery of the Caves) in Kiev will be rebuilt, according to Kathpress. First established in 1078, the cathedral was destroyed on November 3, 1941 during the German occupation of Kiev. Plans for its reconstruction, based on photographs and sketches collected by a commission of experts, were announced on Radio Moscow. Scheduled for completion in 1991, the cathedral will form part of the state cultural-historical complex. Apparently, the new cathedral is intended for tourists—not worshippers.

The situation of the 13th-century Pochaev Monastery in Ternopol, western Ukraine continues to concern believers. A 1984 *samizdat* document describes the situation of this ancient monastery. On May 20, 1984, a group of drunken militiamen burst in on pilgrims in the Cathedral of the Assumption, demanding they show their documents. Several pensioners who work for the monastery were put in the nearby psychiatric hospital as “inducement” to stop associating with the monks. No construction is allowed in the monas-

⁶⁸ See footnote on p. 235.

tery, while anyone who wants to work at the monastery is required to obtain the permission of an authorized official. This procedure has no basis in law. This document also mentions the demolition brick-by-brick of a church in Rovno, Ukraine.

Georgian Orthodox Church

The Georgian Orthodox Church, one of the most ancient autocephalic churches in the world, faces similar difficulties as other religious denominations—severe shortages of clergy, literature, churches and oppressive Soviet laws on religion. The church is strengthened, however, by firm support from the Georgian nation, since the church is considered important not only as a religious entity but also as a bulwark of national identity.

The Bible was first translated into Georgian in the fifth or sixth century. Under Soviet conditions, however, there is a large pent-up demand for religious literature in Georgian. In June 1985, the Institute for Bible Translation in Sweden announced the third edition of its Georgian translation of the New Testament and Psalms in a print run of 10,000 copies for distribution in Georgia. (The 7,000 issued since 1980 have all been distributed.)

An October 1982 *samizdat* document on the Georgian Orthodox Church finally reached the West 2 years later. Written by 80 church laymen and addressed to Ilya II, the Georgian Orthodox patriarch, it is a clear statement of the strong nationalist attachment to the church. Here are some excerpts:

Our Church is separated from the State by law but it is not, and cannot be, separated from the nation. It is a gathering of our people's finest sons and should exist to direct the nation, encourage its people, educate and set the moral tone of our life. The nation and the Church are as one indivisible flesh. The Church's pain is the nation's pain and the Church must react to its people's suffering and cure it. Our nation has fought for its faith and it is with this in mind that we feel we should inform you of our worries.

The Church cannot survive without its law, the instrument of protection for the Church against anarchy and penetration by criminal elements. The 1920 Holy Church synod stated that the Church law was the basis of our life for its moral teaching. Those who break that law must be punished by that law.

A statement, signed by Bishops Shio, Amvrosi and Khristofor, is appended saying that the church should be seen as a respectable authority in the eyes of the whole nation and that the authority of good priests is being eroded by the actions of a tiny minority of deviants. (Believers have long complained that there are a few homosexual priests and bishops.)⁶⁹

A Georgian Orthodox priest, Teimuraz Chikhladze, 33, was executed in August 1984. Falsely accused of hijacking, Chikhladze was found guilty by the Georgian SSR Supreme Court of Criminal Justice of "banditry" and "hijacking" (articles 78 and 42 Georgian Criminal Code). Chikhladze did not take part in the hijacking—he

⁶⁹ See footnote on p. 235.

did not even know that an attempt was being made. Nevertheless, he was portrayed as its "spiritual leader"—even though he had last met the rest of the accused in 1981. Portions of the 13-day trial were shown on a 3-hour TV show on August 23. The priest was described as a "hippy" and leading a "spiritually deprived" life under the protection of the Georgian Church. At the trial, Chikhladze assumed all the blame for the incident. Chikhladze may have been made a sacrificial lamb on false charges of "hijacking." His execution may have been intended to damage the church's reputation with the Georgian public.

After the sentencing, a petition circulated in Georgia calling for the four death sentences to be commuted. In late September, 3,000 signatures, including two from Georgian Supreme Soviet members, were collected. Reportedly, many signatories were summoned by the KGB for questioning.⁷⁰ The other three condemned to death were from prominent Georgian families—their sentences reportedly were commuted to 15-year terms. In light of the three commuted sentences, Chikhladze may have been made the "fall guy" for the guilty parties.

At least two Georgian prisoners of conscience have been active in defense of the Georgian Orthodox Church: Valentina Pailodze and Merab Kostava. Choir director Pailodze was arrested in March 1983; it was her third arrest for religious activities. Falsely charged with receiving bribes, Pailodze was sentenced on May 25, 1983 to 8 years camp plus 3 years exile.

Merab Kostava has also been an active defender of the Georgian Orthodox Church. First sentenced in 1978 for his role in the Georgian Helsinki Group, Kostava got a 5-year term of imprisonment. While in exile, Kostava was given another 5-year camp term. Kostava got his third term—3 years—in June 1985 for "malicious disobedience of camp authorities." Kostava is reportedly in very poor health. In the spring of 1985, Kostava's 25-year-old son was found hanged in his Tbilisi apartment in circumstances which cast doubt on official claims that he committed suicide.

A few recent articles in the Georgian press attest to the continuing popularity of religion. *Komunisti* (April 30, 1986) carried a lengthy analysis of people's need for faith, contrasting materialist and religious approaches. Another item in this newspaper on September 27, 1985, complained about the failure of atheism campaigns, promising that future efforts will be more effective and better matched to individual interests and needs.

Armenian Apostolic Church

The Armenian Apostolic Church is another ancient church, dating back to the fourth century. The position of this church is relatively strong due to the financial and moral support of the large Armenian diaspora.

A recent article in the *Erevan Kommunist* (May 12, 1985) attests to the renewed strength of religious faith in Armenia. Entitled "Illicit Crosses," it describes a "peculiar renaissance of reverence for holy places." Indignant mention is made of "illegally operating un-

⁷⁰ See footnote on p. 235.

registered churches" (evangelical Protestant) and the "sale of homemade candles, crosses, saints." The author also points to the operation of "illegal temples in Erevan" and exhorts the local party organs to increase their vigilance. He concludes that unless atheist propaganda and the "norms of community life" are followed, religious holidays would be observed and crosses and Virgin Marys produced *en masse*.

An Armenian Apostolic archdeacon, Garnik Tsarukyan, was arrested by the police in February 1984. He had spoken out about church corruption and its links with the KGB. In March, Tsarukyan was sent to the Ordinary Psychiatric Hospital in Erevan.

Soviet Islam

The Soviet Union is the fifth largest Muslim country in the world. As usual, reliable statistics are difficult to find on this question. That 40 million people in the Soviet Union profess some adherence to Islam is a generally accepted figure. As with Orthodox Christianity the concepts of Islam and nationality are closely linked and often difficult to distinguish. Soviet Islam faces the same difficulties as other religions in the U.S.S.R.: chronic shortages, legalized restrictions, and daily discrimination.

The party expends many resources in its struggle against the Muslim religion. For example, *Pravda Vostoka* (May 8, 1986) describes a high-level conference—attended by Central Committee official, E.I. Lisavtsev—on improving atheist education in the Namangan *oblast* of Uzbekistan. Yet a mere 5 days later in the Sarsaisk region of Uzbekistan, authorities deployed 150 lecturers and 120 agitators to halt the activities of pilgrims and unofficial mullahs.

The vitality of Islam in its traditional areas in Soviet central Asia and Azerbaidzhan in the Caucasus is reflected in numerous Soviet press items. Two articles refer to increased private financial support for mosques in recent years. An atheist training conference in Namangan, Uzbekistan noted that since 1983 such private support has increased (*Pravda Vostoka*, March 24, 1985). A 1985 conference revealed that income for mosques in the Tadzhik towns of Kurgan-Tyube and Pyandzh had increased by 250 percent in a 4-year period. *Pravda* (November 16, 1985) contrasted this situation with that of often inactive official clubs and houses of culture. In short, popular support for Islam in the U.S.S.R. is growing, despite Soviet Government efforts to foster atheism.

One article, in a Turkmen teachers' publication, *Mugallymlar Gazeti*, (January 19, 1986) admits the close connection between national and religious identity. The author discusses methodology for a course, "The Ethics and Psychology of Family Life," newly introduced in Turkmen language schools. Atheist education is one of its main goals, and the author advises:

It is important that teachers consider the characteristics of national psychology and forms of life which have become tradition, the level and nature of the population's religious belief. Religious holidays and traditions exert a powerful influence on some children and they are drawn into participating in such holidays through family life.

Teachers must not forget that the close relationship between religious and national traditions in our republic is one of the reasons for the preservation of harmful religious remnants among a certain segment of the population.

Another article, in the Russian-language Uzbek newspaper *Pravda Vostoka* (*Truth of the East*, May 24, 27, 1986), notes that atheist education must "expose the falsity of the believer's view that only through religion may a person satisfy his natural desire to overcome suffering." In a back-handed way, such comments are an admission of the deep-seated popular appeal of religion.

Newspapers in central Asia are replete with articles decrying the widespread activities of unofficial (unregistered) mullahs. An article in the Russian-language *Pravda Vostoka* (August 26, 1984) criticizes the party committee in the Uzbek town of Margilan in the Fergana Valley for allowing mullahs to become more active, gaining influence with young people. "A criminal group was active in the town for some time, sowing religious fanaticism among adolescents." *Sovet Turkmenistany* (January 4, 1986) carried a lengthy article assailing Islamic modernists. The author also notes the work of "young pseudo-mullahs" in various Turkmenistan regions: Vekilbazar, Tagta, Telman, Bayramaly, Yylany, Kalinin and Murgab. Party members are also criticized for participating in religious services.

In another area of Uzbekistan, pilgrims are discouraged from visiting the "holy sites" of Samarkand (*Yosh Leninchi*, February 5, 1986):

Because of the great activity of false mullahs interested in earning easy profit, people have been talking about these graves in the last 10 or 15 years as "holy pilgrimage sites" which can solve any hardship. . . . Every Wednesday, adult men and women of various ages as well as youth come to a religious ceremony in view of passers-by and spectators. . . . These three "holy" places lie at the intersection of three quarters. The weekly income which false shiekhs earn for themselves thanks to generous pilgrims generosity and belief reaches 1,500 rubles.

As can be seen from this citation, these holy sites have considerable popular following—and they generate rather large sums of money for unofficial Muslim religious leaders.

Other recent articles in the Uzbekistan press (*Sovet Uzbekistani*, May 16, 1986) single out Namangan as a place in which "religious charlatans" are active. One man, Amatkhon Azizkhodzhaev, allegedly collected money from naive people who believed this payment could replace making the *haj* (pilgrimage) to Mecca. Moreover, two Communists, Artikbay Nazarov and Zulaykha Rakhimova, were involved in religious activities.

Unofficial mullahs are also active in Adjara, an Islamic area of Georgia. The Tbilisi *Kommunisti* (April 22, 1986) describes several such people: Shaban Abuladze, who allegedly earned money by reading the *Mavlud* (Mawlad in Arabic, Mohammed's biography) in various villages until "this self-styled clergyman . . . was un-

masked;" Daut Beridze of Batumi wrote the Arabic text of the Mavlud with Georgian letters, "bound it into a book and began calling at believers' houses. Daut was caught in the act and his Mavlud confiscated."

For a long time, it seemed that traditional types of Soviet dissent among Soviet Muslims were rare (or simply unknown in the West)—with the notable exception of the Crimean Tatars. In the 1980's, however, instances such as the printing of Islamic *samizdat* or the conducting of unofficial religious schools were more frequently discussed in the Soviet press. Usually, they are labeled as "crimes."⁷¹

Two known cases involving Islamic *samizdat* and an unofficial Koranic school occurred in 1982. In Tashkent, Uzbekistan, a large group, including Abuzakar Rakhimov, Eldash Mukhammedov, Makhmudzhan Roziev, A. Saidkharikkhodzhaev, were arrested for printing and disseminating a brochure, *The Islamic Faith*, a compilation of Koranic writings. Later that year, Saidkarim Azamov was arrested for holding an "illegal" Koran school in a Tashkent suburb. Early in 1983, Niglyuk Rakhimov in Tadzhikistan received a 4-year camp sentence for unofficial printing—and he ended up in a political camp in Mordovia.

In the spring of 1985, two members of the Gulistan collective farm in the Samarkand *oblast* of Uzbekistan were arrested. Mardan Pulatov and his daughter, Dzhamiliya Kambarova, were accused of "speculation" for selling religious literature, *Namazlik* ("The Book of Prayers") and *Islam dini nima?* ("What is Islam?"). Apparently, they got this literature from a young mullah, Zakir Tadzhibaev, in Namangan who organized a religious school at home. Four of the mullah's students from Tashkent and the Samarkand *oblast* also distributed Islamic literature.

Unlike "classical" *samizdat*, Muslim *samizdat* is more often printed than typed. Usually printers use state print shops illegally, or they make underground presses. Two 1986 trials of Muslim *samizdat* printers held in Baku, Azerbaidzhan are illustrative.

The first trial involved two Russians, A. Glukhov, fitter at the Ministry of Petrochemicals, and L. Belyaeva, print shop manager, who oversaw the mass printing of Muslim religious literature. Also involved was M. Mutsologov, from the city of Nazran in the Chechen-Ingush ASSR (traditional center of the Sufi brotherhood, Batal-Khadzhi), who provided the two Russians with Arabic-language texts. He then distributed these materials in the north Caucasus. Mutsologov and Belyaeva each received 4-year camp terms, while Glukhov got a 7-year term.

The second Baku trial also involved a Russian printer, A. Galkin, an electrician at Baku Tunnel Construction, and a Muslim text-provider-and-distributor G. Suleimanov, of the city of Khasavyurt in north Dagestan. They were charged with "selling literature" totaling a value of 63,930 rubles from 1981 until 1984. This large sum suggests that there are thousands of Arabic readers—and most likely devout Muslims—in Dagestan.

⁷¹ See footnote on p. 235.

The Ukrainian (Byzantine Rite) Catholic Church

The Ukrainian Catholic Church, also known as the Byzantine Rite or Uniate Church, is the largest banned denomination in the Soviet Union. Based in western Ukraine, this church is associated with strongly nationalist views. Therefore, the Soviet authorities view this church with particular hostility. If this church were to be legalized today, it would likely have some 4 million adherents.

After the Soviet Union occupied western Ukraine in 1945, the Soviet authorities persuaded a few Ukrainian Catholic priests to "reunite" their church with the Russian Orthodox Church and sever its ties to the Vatican. The 1946 Synod of Lvov, seen as uncanonical and unrepresentative by most Uniates, duly approved the reunification.

All bishops and many Uniate priests, faced with either accepting the synod or a 10-year camp term, chose the latter. Indeed, as Cardinal Slipyj said in 1977 at the International Sakharov Hearings, "all our bishops except myself died in prison or exile." One thousand five hundred priests died, and hundreds of thousands of believers went to the camps.

Of the pre-war total of 4,195 Ukrainian Catholic churches and chapels, none remains open today. Nevertheless, the Uniate Church survives in the U.S.S.R., albeit in a persecuted and underground form. Reliable sources estimate that its clandestine existence is served by at least three secret bishops and 300-350 secret priests.

Parallel to this underground Uniate Church, a radical secret group known as the *Pokutnyky* (Penitant) sect appeared in 1954. Members of this group avoided participation in Soviet society. According to the *Chronicle of the Catholic Church in Ukraine*, the sect was infiltrated by the KGB in the late 1950's. Thereafter, most of its members returned to the banned Ukrainian Catholic Church.

Repression of the outlawed Ukrainian Catholic Church is a standard feature of Soviet rule in Ukraine. After the highly respected exiled Uniate leader, Iosif Cardinal Slipyj, died on September 7, 1984, the Soviets appeared to step up repression of the church.⁷² Shortly after Slipyj's death, Ukrainian Party First Secretary Shcherbitsky called for a new drive against religious "fanaticism" in an apparent reference to the Ukrainian Catholic Church.

A secret decree from the Transcarpathian Regional Committee of the Ukrainian Communist Party, dated July 3, 1984, has recently come to light. Entitled, "On the Improvement of the Methods of Combating Manifestations of Nationalism and Zionism," the decree calls for improving atheist education, while lauding KGB successes in destroying Catholic and Baptist printing presses and confiscating religious materials.

The decree recommends the following measures: that the repentance of former anti-Soviet clerics should be turned to the party's advantage by creating anti-nationalist propaganda; that two-thirds of the Uniate activists should be sent for compulsory psychiatric treatment, without being put on trial; that efforts to discredit the church and its members should be made, particularly in villages

⁷² See footnote on p. 235.

where Uniate influence is strong; and that the state should ban Sunday Masses in state farms.

At the fourth synod of Ukrainian Catholic bishops in Rome on October 5, 1985, Pope John Paul II said in Ukrainian, "I have often repeated my desire that this Catholic community be able to enjoy religious liberty, to which it has a right like other religious denominations." The Pope also referred to the Vatican's efforts at the Helsinki Conference on Security and Cooperation in Europe to secure recognition of the Ukrainian Catholic Church's "civil right to existence."⁷³ In a secret report to this synod, Cardinal Myroslav Lubachivsky revealed that there are 10 underground Uniate bishops active in the U.S.S.R., as well as hundreds of priests and monks and about 1,000 nuns.

In recent years, there has been a resurgence of activity among Ukrainian Catholics. The Central Committee of Ukrainian Catholics and the Action Group for the Defense of the Rights of Believers and the Church in Ukraine were formed in Ukraine on September 9, 1982. Uniate activist, Iosyp Terelya, was the Action Group leader, and the moving spirit behind the Central Committee, and the priest Hryhorii Budzinsky was Action Group secretary. Two other priests, Father Dionisy and Father Ignaty, as well as Stefaniya Petrash-Sichko, wife of political prisoner Petr Sichko, also joined the Action Group. In its opening statement, the Action Group said: "(A)ll information about the Ukrainian Catholic Church will be made available for worldwide public scrutiny. Catholics the world over must know and remember under what conditions we exist. We have a single goal—legalization."⁷⁴

The Action Group also made nine practical proposals for legalization of the Uniate Church. Free elections should be held in all western Ukrainian dioceses. Church properties should be returned to believers. Uniate seminaries should be opened in Lvov and Uzhgorod. If legalized, the Ukrainian Catholic Church "pledges to observe all precepts and laws of the state and instruct its parishioners to do likewise," but since the Pope is the Uniate sovereign leader, "no subordination to Soviet authorities is possible." The law on the separation of church and state should be observed.⁷⁵

Faced with this new Uniate activism, the Soviet authorities decided to act quickly. Iosyp Terelya, arrested on February 8, 1985 for "anti-Soviet agitation and propaganda," was replaced as chairman of the Action Group by Vasyl Kobryn. Shortly thereafter, Kobryn also was arrested and sentenced on March 22, 1985 to 3 years camp on charges of "anti-Soviet slander." Another Group member, 85-year-old priest Hryhorii Budzinsky, was held incommunicado for over 6 weeks in a local hospital in late October 1984.

Iosyp Terelya has a long and tragic history of conflicts with the Soviet regime. At the age of 41, Terelya has spent over 18 years in Soviet camps, prisons and psychiatric hospitals. Shortly after the formation of the Action Group, Terelya was arrested in December 1982, tried in April 1983, and sentenced to a 1-year camp term. After his most recent arrest, Terelya went on trial in August 1985

^{73 74 75} See footnotes on p. 235.

and was sentenced to 7 years camp plus 5 years exile for "anti-Soviet agitation and propaganda."

Terelya's wife, Olena, is a doctor but she is unable to find work; she and their two children live in Dolgoe, Transcarpathia, Ukraine. Elena Sannikova, a Russian Orthodox believer, was arrested on January 19, 1984 after she publicly defended Terelya; she was later sentenced to 4 years exile.

Other Uniate prisoners of conscience are also facing great hardships. Pavlo Kampo, 57, is nearly blind and suffers from other ailments; the camp authorities refuse to allow doctors to prescribe medicine for him. Sofya Belyak, sentenced to 5 years camp plus 5 years exile in October 1983, is in poor health. Her friends fear she may not survive her term. Other imprisoned Uniates include Ilya Ulihanynets, Aleksandr Oros and Ivan Smetana.

In at least one instance, the Soviet authorities have resorted to violent methods against Uniate believers. On September 29, 1982, Soviet police killed a Ukrainian Catholic nun, Maria Shved, on a street in Lvov. Near the end of 1984, a Uniate nun, whose name is not known, was murdered by drunks in the main train station of Lvov. Reportedly, the nun was involved in preparing children for their first communion.⁷⁶

For Ukrainian Catholic *samizdat*, 1984 was a productive year. Two publications, both concerned with the plight of the Ukrainian Catholic Church, appeared in that year: *The Ukrainian Catholic Herald* (produced by the Central Committee of Ukrainian Catholics) and *The Chronicle of the Ukrainian Catholic Church* (put out by the Action Group.) The first issue of the *Ukrainian Catholic Herald* appeared in April 1984 and reported on Government control of the Russian Orthodox Church, arrests, religious rites, and Uniate prisoners. After eight issues of *The Chronicle* appeared in 1984, production was suspended; the ninth appeared in mid-1985. During a search when Kobryn was arrested, the 10th issue was confiscated as was material for future issues.

Thanks to these *samizdat* publications, we have a more complete picture of the present-day life of the Ukrainian Catholic Church. In mid-1984, three churches were destroyed in the Lvov, Ivano-Frankovsk regions. One hundred young Uniates marched to protest the demolition of a former monastery in the Carpathian village of Borunya in June 1984. *The Chronicle* reports that 81 Uniate priests were secretly ordained in Transcarpathia (western Ukraine) since 1981. In Transcarpathia, the area of greatest Uniate strength, there is a 3-year underground monastery school. In addition, dozens of Uniate missionary priests have been active in eastern Ukraine.

Iosyp Terelya, in a reported conversation with Soviet officials on April 23, 1984, informed them that since 1983, 30 Uniate churches were closed because parishioners refused to accept Russian Orthodox priests. For example, on April 5, 1984, 40 militiamen battled the villagers of the Rogatin district of western Ukraine who were defending their Uniate chapel. The militiamen were forced to withdraw; during the night, a crane was brought in to destroy the chapel. In another instance, Ukrainian Catholics refused to accept a Government-imposed Russian Orthodox priest in the village of Bobrka; on March 23, 1984, soldiers arrived to destroy the church.

⁷⁶ See footnote on p. 235.

The Roman Catholic Church

Roman Catholicism is the traditional religion for some 4 million Lithuanians, almost 2 million dispersed Poles, and some 1 million scattered Germans. In 1982, the Soviet authorities mounted a major campaign against Roman Catholic activists in Lithuania. For the first time in over 10 years, Lithuanian Catholic priests were sentenced to lengthy prison terms. The KGB particularly targeted priests active in the Catholic Committee to Defend the Rights of Believers as well as was contributors to and distributors of the unofficial *Chronicle of the Lithuanian Catholic Church*.

Typical of recent Soviet media attacks on "extremist priests" in Lithuania was a 1985 Radio Vilnius broadcast by the Lithuanian Commissioner of Religious Affairs, Petras Anilionis. He was hostile to the elected diocese council of priests since it included members of the Catholic Committee to Defend the Rights of Believers.

Insight into Soviet methods of combatting the Catholic Church in Lithuania emerged in four reports by the Lithuanian Council for Religious Affairs that were reprinted in the *Chronicle* in 1985. These documents, including a report by Petras Anilionis, describe the situation of religious denominations in Lithuania, evaluating their observance of Soviet Laws on Religious Cults. For the first time, a Soviet official admitted there are special "surveillance commissions" attached to local soviets to "observe the activities of the clergy and religious associations." The report severely criticizes the anti-religious work by the local district authorities, alleging they are too lax in registering priests without first consulting the Council for Religious Affairs.

Catholics, who have six out of seven "prayer houses" in Lithuania, are seen as the most uncooperative by the Soviet authorities. Some Catholic priests are said to be "manifesting extremism:" openly praying for "state criminals" (three imprisoned Catholic priests); recruiting altar boys; organizing children's choirs; and planning charitable activities. Religious education of youth, forbidden under Soviet law, is on the increase, with priests saying that the Catholic Church is the "only bearer and disseminator of virtue and high morality." The report also alleges that some priests urged their flocks to pray for "a free Lithuania."

Official warnings were issued to 118 priests, one-sixth of the Lithuanian Catholic clergy, and also to 44 church "extremists." The activities of 10 "illegal" Catholic priests—graduates of the unofficial Catholic theological course—are deemed "subversive" in the report. This unofficial course is needed because of Soviet restrictions on the official seminary, from which only 12 priests graduate per year. Today, there are 144 Catholic churches without their own priests. Nevertheless, church attendance has not declined, with as many as 37,000 people visiting the shrines of Siluva and Varduva on Catholic festivals.⁷⁷

Although there still is a shortage of priests in Lithuania, there has been an improvement in the number of bishops. The Pope elevated Lithuanian Bishop Liudas Povilonis to the rank of Archbishop in 1985 and named a new Auxiliary Bishop, Juozas Preiska, to

⁷⁷ See footnote on p. 235.

assist him. As a result, the total number of bishops in Lithuania is now six. All Lithuanian dioceses, except Vilnius and Vilkasviskis, now have resident bishops.⁷⁸

In accordance with Soviet law, state authorities continue to oppose catechism of Catholic youth. For example, in Gargzdai, Klaipeda district, 413 parents and parishioners protested to the Klaipeda District Committee and the Lithuanian Council of Ministers about the behavior of local officials in their church. When children were brought to church before the evening service so that the priest could test their knowledge before their admission to first confession and Holy Communion, three local officials entered the church and threatened to file a complaint against the priest and tried to identify the children.⁷⁹

The 35-year struggle for control of the Catholic Church in Klaipeda continues. The church was built and financed by local Catholics in 1960-61 with official permission. As soon as it was completed, state authorities confiscated the church for use as a concert hall. *The Chronicle* mentions a 1984 petition for return of the church signed by 22,539 people. It was preceded by eight other petitions; one such appeal was signed by 148,149 people in 1979.

The year 1982 saw an intensified campaign of repression against Lithuanian Catholics active in unofficial organizations, particularly priests in the unofficial Catholic Committee to Defend the Rights of Believers. When the founding of the Committee was announced in Moscow in 1978, Father Alfonsas Svarinskas said it had been inspired by the election of Pope John Paul II. In 1983, Father Alfonsas Svarinskas and Father Sigitas Tamkevicius were arrested and subjected to 10-year terms of imprisonment.

In February 1982, Father Alfonsas Svarinskas was warned by Soviet authorities not to allow minors to gather at his home. In July, Father Alfonsas Svarinskas welcomed the new Bishop Vaicius in the name of the Catholic Committee. In November, he signed a petition, along with most other Lithuanian priests, rejecting the restrictive Regulations for Religious Associations. Finally, on January 26, 1983, Father Alfonsas Svarinskas was arrested and charged with "anti-Soviet agitation and propaganda;" on May 6, 1983, Father Alfonsas Svarinskas was sentenced to 7 years strict regimen camp plus 3 years exile.

Father Sigitas Tamkevicius' apartment was subjected to an exhaustive search in April 1980; the KGB accused him of editing *The Chronicle* and speaking against the Soviet Government in his sermons. During Father Alfonsas Svarinskas' trial, Father Sigitas Tamkevicius was arrested for conducting "illegal and unlawful activity, the main purpose of which was to discredit the Soviet state." On December 2, 1983, Father Sigitas Tamkevicius was sentenced to 6 years strict regimen camp plus 4 years exile for "anti-Soviet agitation and propaganda."

Knowing of his impending arrest, Father Sigitas Tamkevicius wrote his "spiritual testament" on February 6, 1982, which was later published in the January 1984 *Chronicle*. He wrote:

I thank God for allowing me to spend the last decade in fruitful work for my Church and thus for my Country. If I would have to start everything anew, I would do the same,

^{78, 79} See footnotes on p. 235.

only perhaps with greater zeal. My only regret is that I could have certainly accomplished even more.

I am at peace as I face prison, which may be the crown of my activity. My years of imprisonment I offer as penance for my errors and as an offering for the future of my Church and Country.

A third activist priest, Father Jonas Matulionis, was given a 3-year sentence in January 1985 for "impersonating a priest." Father Jonas Matulionis was first arrested and imprisoned for 9 months in 1976 on suspicion of distributing *The Chronicle*. Shortly thereafter, he began to study for the priesthood at the unofficial correspondence course organized after 1972 by some Catholic clergy. Father Jonas Matulionis was ordained in 1981 and worked as an assistant to Father Sigitas Tamkevicius. In fact, after Father Sigitas Tamkevicius' arrest, Father Jonas Matulionis played a leading role in organizing a popular campaign for his release.

These imprisoned Lithuanian Catholic priests have received much popular support from their fellow Lithuanians. The unofficial *Chronicle*, dated January 1984, recounts protests at Father Sigitas Tamkevicius' and Father Alfonsas Svarinskas' trials. For example, four Lithuanians went to Moscow in a vain effort to meet with party leader Yuri Andropov in August 1983. They carried with them a declaration noting that some 123,000 Lithuanian Catholics had signed protest petitions and appeals for the two priests.⁸⁰

Lithuanian Catholic laymen were also subjected to various official pressures. Jonas Kazionis, who was released in 1978 after serving a 25-year camp term for partisan activities, was denied a residence permit in his home town. In 1983, Kazionis was refused an exit visa to go to England to live with his brother.

Jonas and Nijole Sadunaite are in difficulties. Nijole is in hiding, after serving a 6-year camp term. Jonas was first interned in a psychiatric hospital in 1982, and then in 1983 was sentenced to a 1½-year camp term. Jonas, unable to find work, fears the family will lose their Vilnius apartment.

Vladas Lapienis, a 79-year-old economist, was sentenced in March 1985 to 4 years camp plus 2 years exile for involvement with *The Chronicle*; in 1981, he was released after serving a 5-year term of imprisonment on the same charges. Arrested in February 1984 after the KGB found a handwritten copy of his *Memoirs of a Soviet Prisoner*, Lapienis was released until his trial (very unusual in the U.S.S.R.) due to his poor health.

Catholic activists in the Soviet Union have also been imprisoned in recent years. Aleksandr Riga, a Latvian Catholic involved in an unofficial Moscow ecumenical group which promoted contacts among Orthodox, Catholic and Baptist believers, was sentenced to indefinite psychiatric detention on August 29, 1984. Riga, sent to the Blagoveshchensk Special Psychiatric Hospital on the Soviet Pacific coast, was in such poor health in spring 1985, that his ill mother was officially advised to come to see him.

⁸⁰ See footnote on p. 235.

Kirill Popov, a Moscow Catholic active in *samizdat* and aiding prisoners of conscience, was sentenced on April 18, 1986 to 6 years camp plus 5 years exile for "anti-Soviet agitation and propaganda." Another Moscow Catholic activist, mathematician Vladimir Albrekht, was first sentenced in 1983 to 3 years camp for "anti-Soviet slander;" shortly before the end of his term, he was given a new 3½-year term for alleged "hooliganism." Reportedly, however, Albrekht was released from camp in the spring of 1986. The circumstances of his release are not known, but it is a highly unusual occurrence for a Soviet political prisoner.

Protestant Churches

Introduction.—There are several Protestant denominations in the Soviet Union. Some are registered with the state through the Council of Religious Affairs, while others maintain a tenuous existence outside the bounds of Soviet law. Registration, while providing a veneer of legal protection for worship within the constraints of the Law of Religious Associations, does not guarantee exemption from repression, and harassment and imprisonment of members of registered churches occur. The Jehovah's Witnesses remain completely outside the law, although the Soviet press has claimed recently that they are free to register with the authorities.

Lutherans and Methodists

There are approximately 580,000 Lutherans in the Soviet Union, mostly in Estonia and Latvia, with a few German Lutheran parishes in central Asia as a result of the deportations of World War II. The latest figures for Methodists (attributed to a church official in Estonia) show at least 3,200. One Western newspaper report in 1985 quoted a Lutheran bishop in Estonia as stating that "we have complete freedom to do all necessary for the faith," while a Methodist minister stated that "there is no persecution, but there are limitations. Authorities have removed some popular Lutheran priests from their parishes for preaching 'anti-Soviet' or 'nationalistic' sermons."

Two specific incidents of repression of Lutherans came to light during the reporting period. Yakov Rein, a lay leader of a Lutheran Church in Tselinograd, Kazak SSR, was arrested in June 1984 for conducting religious services and teaching religion to youth. Sentenced to 5 years in camp, he was apparently released on appeal after agreeing not to leave town. Estonian pastor Harry Motsnik was arrested in April 1985 on the basis of sermons he had given in a local church. Convicted for "anti-Soviet agitation and propaganda," Motsnik reportedly recanted and was released. About 5 years earlier, Estonian pastor Vello Salum (see previous report) recanted upon release from a psychiatric facility and announced that "the spirit has been cured."

Jehovah's Witnesses

As noted, Jehovah's Witnesses continue to be persecuted in the Soviet Union, and members of the sect have been imprisoned on various charges. In connection with the trial of five Jehovah's Witnesses in Donetsk Oblast, the atheist journal *Argumenty i fakty* claimed that Jehovah's Witnesses are free to register for worship,

although there has been no indication that any have done so. The Soviet press is particularly vehement in its vilification of Jehovah's Witnesses, claiming the Soviet Witnesses are crusading against Socialist countries through dissemination of materials received from world headquarters in Brooklyn, New York. Even Soviet propaganda does not attempt to hide the Witnesses' real "crimes"—refusal to participate in state-organized social and political activity, to vote in state elections, and to serve in the military. By mid-1985, at least 20 Jehovah's Witnesses had been sentenced to labor camp sentences, and another 7 arrested. Sometime in 1985 or 1986, 5 others reportedly were arrested in Kazakh SSR, apparently for refusing military service. A Witnesses leader in Moldavia, Yakov Gozhan, was tried in June 1986. His sentence is presently unknown. In September 1986, Witness Yevgeni Wolf was sentenced to 3 years strict regime camp for evasion of military service. He had served a sentence from 1982-84 on similar charges. At least two members of the sect are at last report confined in psychiatric facilities. One, surnamed Adakov, has been in Blagoveshchensk Special Psychiatric Hospital since 1976. The other is Viktor Neznanov, who was arrested in 1979 for organizing an underground publishing house, and remanded to the SPH in Mogilev.

Adventists

The True Remnant of the Adventist Church in the Soviet Union continues its underground existence (see previous report) rather than submit to Government restrictions on its worship. The reporting period saw a strong press campaign against the True Remnant. As of November 1986, there were at least 15 Seventh-Day Adventists in prison or labor camp. One of these is Aleksei Murkin, who replaced the late Vladimir Shelkov (died in camp, 1980) as leader of the True Remnant. In 1984, Murkin was tried together with his brother Mikhail, Vladimir Vasichenko, Gennady Bedarev, Ivan Cheremisov, and R. Chernolikova in Tashkent, where they all apparently received sentences of approximately 3 years. Pavel Raksha received 5 years general regime in 1983 for "infringing on citizens rights under the guise of performing religious ceremonies." Vladimir Shelkov's son, Vladimir, was sentenced in March-April 1984 to 5 years intensified regime camp for "speculation" (economic crimes). Richard Spalin, who had been serving a 7-year sentence since 1978, was not released upon completion of sentence in 1985, but re-arrested "for disobeying the demands of labor camp authorities" (article 188-3).

Baptists

Baptist churches existed in the former Russian Empire at least as early as 1867. At present, there are an estimated 600,000 Soviet Baptists belonging to congregations who have registered with civil authorities, and 100,000 belonging to unregistered congregations.

As noted in the previous report, unregistered "Reform" Baptists are persecuted by authorities for worshipping in accordance with their conscience and refusing to conform to the provisions of the "Legislation Concerning Religious Cults" of 1929 which remains in force to this day with certain amendments. According to numerous reports of persecution that continue to reach the West, Baptists

face house raids and searches, confiscation of Bibles, tape recorders, cassette recordings of sermons and music, disruption of worship services by the police and KGB with subsequent fines levied against the participants, and slander campaigns. An example of this slander can be found in the March 7, 1984 edition of *Trud*, which offered an explanation of the circumstances surrounding an unregistered Baptist's murder of his wife:

"Things of the flesh—drunkenness, murder—God forgives, if you repent. The most dire sin is lack of faith in God." The words and meaning of this sermon, once so well learned by Yagnov and firmly embedded in his mind, unloosed his hands, placed a knife in them, and allowed him to take the life of a person close to him.

Weddings and evening funeral services have been disrupted. In at least five reported cases, the homes of believers where private worship services had been held were destroyed and/or confiscated by authorities. Children have been interrogated in the absence of their parents, the latter threatened with loss of parental rights should they continue to raise their children in the faith.

Most of these Reform Baptists are adherents of the Council of Evangelical Baptist Churches, established in 1965 in protest against the conciliatory position toward Government controls on religious practice adopted by the leadership of the All-Union Council of Evangelical Christians-Baptists. Their position was emphasized in a letter to General Secretary Gorbachev from the Evangelical Baptist Council of Prisoners' Relatives in the Soviet Union, the organization of Reform Baptist women whose husbands have been imprisoned for practicing their faith:

We state once again that this legislation is in direct contradiction to the teachings of Jesus Christ. While the Constitution makes the practice of our faith legal, at the same time you deprive us of our rights through the 1929 Legislation, and we are sentenced to lengthy prison terms, not for violating the Constitution, which is the foundation for the laws of our country, but rather for violations of the Legislation Governing Religious Cults. Believers cannot fulfill the requirements of this legislation without departing from the teachings of Jesus Christ. To conform to the legislation we have to stop being Christians.

Soviet authorities are still seeking Council President Gennady Kryuchkov, who has been forced to go into hiding to continue his ministry. In their efforts to find Kryuchkov, it has been reported that KGB officials disguised as doctors drugged Council member and prisoner Grigory Kostuichenko and questioned him about Kryuchkov's whereabouts during what was supposedly a physical examination at the camp infirmary.

As of May 1986 there were 170 Baptist activists in labor camp or exile, according to Keston College. During the reporting period, two Reform Baptist ministers died while under sentence. In 1984, Boris Artiushenko died at the Kursk prison; Yakov Durksen died in June 1986 in a camp in the Altai Region of Siberia. In addition, many Baptist ministers and activists have been re-sentenced while in

camp, either for "dissemination of slander" or under article 188-3, introduced in 1983, for "willful disobedience of the demands of camp authorities." By September 1986, there were at least 12 cases of Reform Baptists being re-sentenced while in camp.

General Secretary of the Council of Evangelical Baptist Pastor Nikolai Baturin was re-sentenced in 1984 to an additional 2 years labor camp, and in August 1986 to another 3 years. This is the first documented instance whereby a political prisoner has been twice re-sentenced while in camp. Baturin has spent over 25 of his 58 years in the labor camps for his faith. On the day prior to his scheduled release in January 1985, new charges were pressed by camp authorities against Pastor Mikhail Khorev, and he was sentenced to a further 2 years strict regime camp. Khorev's wife and son had traveled from their home in Kishinev, Moldavia to Omsk, western Siberia, to attend the trial but were not allowed to do so. Another long-term Baptist prisoner, Pastor Pyotr Rumachik, was arrested 6 days before his scheduled release in 1985 and charged with "anti-Soviet agitation and propaganda." He received an additional 5 years. The cruel treatment generally accorded religious believers by camp authorities was particularly refined in Rumachik's case. Prior to his release date, the authorities went through the motions of preparing him for life on the outside: inquiries were made concerning his family's place of residence and acquisition of the necessary residence permit, and he was allowed a 3-day meeting with his relatives. Pastor Nikolai Boiko, was re-arrested in 1985, having been sentenced in 1980 to 5 years labor camp and 5 years internal exile. An additional 2½ years were tacked onto his original term. When Boiko began serving his term, he was a healthy man. Six years later, camp conditions have turned him into a class II disabled person, with high blood pressure and heart problems. Other victims of re-sentencing were Yakov Skornakov, who received 3 more years in October 1983; Aleksei Kalyashin, who received 2½ years in 1984; and Ivan Shidych, who received 2 more years in 1985. Rudolph Klassen was briefly freed after 10 years imprisonment, only to be re-sentenced in 1983 to 3 more years. At this writing, authorities are reportedly preparing to initiate new charges against Ivan Antonov, who was sentenced in 1982 to 5 years labor camp and 5 years internal exile.

Yakov Ivaschenko of Kiev completed a 4-year camp term and, despite poor health necessitating a warm climate, was sent to exile in Yakutia, one of the coldest areas of Siberia. Veniamin Markevich, serving a camp term in Yakutia, has had his correspondence from his family curtailed due to Biblical references in the letters. Permission to possess a Bible is denied routinely to prisoners. (A former prisoner at Blagoveshchenko Special Psychiatric Hospital, now in the West, has stated that even atheist literature was denied to the inmates at the Blagoveshchensk facility, because the atheist tirades against religion contained so many quotes from Scripture that one could almost put together an entire Bible from the various quotations.) Since he began to petition for a Bible, Vladimir Vlasenko has been denied family meetings and correspondence. When Dmitri Enns made the same request he was told by an official in the prosecutor's office that "Convicted criminals are not allowed to possess Gospels." Mikhail Khorev (see above) was informed by

camp director Vlasov that "that's the same as giving vodka to a drunk." Nikolai Shepel, serving his term at a labor camp in Cherkasskaya Oblast, is reportedly under intense pressure to collaborate with the KGB; he has been denied at least one meeting with his family and mail is not reaching him. Aleksei Kozorezov was re-sentenced in 1983 to 1½ years labor camp, and upon release, warned by the police in his home town of Voroshilovgrad against attending Evangelical Baptist worship services, as they were meetings of "mobs disturbing the peace." When long-time political prisoner Dmitri Minyakov finally returned to his home in Estonia after his fourth camp term, police broke up a thanksgiving prayer meeting to mark the occasion.

Soviet authorities have also undertaken a crackdown on the Council of Prisoners' Relatives. Ulyana Germaniuk, was sentenced to 3 years labor camp in September 1985; Serafima Yuditseva, to 2 years in March of the same year. Aleksanda Kozorezova has been forced to go into hiding as a result of a variety of charges. Two young Baptist women, Lyudmila Andryushchenko and Olga Kryuchkova, were arrested in Ordzhonikidze in April 1986 for producing issues of the Bulletin of the Council of Baptist Relatives (see section on *Samizdat*). Their sentences are presently unknown. Galina Vilchinskaya, who had already served a 3-year term for organizing a childrens' Bible study camp, served another 2-year term beginning in November 1982. Another woman, Lidiya Kupriyanova, had her nose broken when police broke up a prayer meeting in Magnitogorsk.

During the reporting period, Soviet authorities broke up two operations of the underground Christian Publishing House (see *Samizdat* section of present report). The Moldavian Baptists were printing Bibles in Moldavian, having been refused permission to acquire them legally.

Another well-known case is that of Valery Barinov, a Baptist musician from Leningrad who had gained a wide following among youth for his amalgamation of rock music and Gospel preaching. Having composed and recorded a Christian rock opera, "Trumpet Call," Barinov sought permission in January 1983 to perform the work in public. The response was loss of employment, detention and confiscation of his tapes, and brief confinement to a psychiatric hospital. In March 1984, Barinov and his bass player, Sergei Timokhin, were arrested at a train station in Murmansk Oblast, and charged with "attempting to illegally cross the Soviet-Finnish border." In a letter that reached the West in 1985, Barinov did not deny that he and Timokhin were attempting to cross the border, but claimed that they had intended to record "Trumpet Call" and return, inasmuch as "this is impossible to do in our country on account of the persecution against us as active Christians." Barinov was sentenced to 2½ years labor camp, Timokhin to 2 years. In commenting on the case, TASS reported:

The just-concluded trial has vividly shown the true visage of those people and their unscrupulousness, hypocrisy, and avarice. It is precisely such renegades that certain circles of the West try to use in the conduct of subversive propaganda against the Soviet Union.

Psychiatric facilities are frequently used to deal with religious activists. At this writing, three Reform Baptists are known to be in psychiatric facilities as a result of their religious activities. Vladimir Khailo had been at Dnepropetrovsk SPH since 1980. In November 1985, he was transferred to Blagovenshchesk SPH on the Chinese border, thousands of kilometers from his family in Ukraine. Anna Chertkova, who has spent 13 years in psychiatric confinement, is still being held in Kazan SPH. Anatoly Runov was committed to the ordinary psychiatric facility at Komsomolets in January 1983.

Pentecostals

While some Soviet Pentecostals, approximately 33,000, have registered with the All-Union Council of Evangelical Christians-Baptists, there are many communities that continue to demand their right to worship outside of state control. This number is estimated to be from 125,000 to 300,000. In many cases, these Pentecostals have lost hope of securing the freedom to worship according to the dictates of their conscience, and are pressing the Soviet Government for the right to emigrate. The two Pentecostal families, seven persons in all, who took refuge in the American Embassy in Moscow in 1978 were allowed to emigrate in August 1983. Twenty-five more of their family members followed soon thereafter.

Pentecostals have also been imprisoned for refusing, on grounds of conscience, to serve in the armed forces. Due to the geographical isolation of many Pentecostal communities (some of whom retreated to eastern Siberia from central Asia in order to practice their religion more freely), figures on Pentecostal prisoners of conscience are difficult to obtain. Calculations based on reports of trial and arrests would indicate that about 30 Pentecostals were sentenced to labor camp terms during the reporting period. In addition, others have been fined, sentenced to labor assignments without incarceration, warned against continuing their activities, and fired from jobs. In December 1982, 392 Pentecostals from Ukraine signed a petition describing beatings and threats they had been subjected to for their beliefs.

Among the Pentecostal conscientious objectors is Anatoly Kabinov, sentenced in 1981 for refusing call-up to the army, and re-sentenced in camp in December 1982 to an additional 2 years for alleged possession of drugs. In November 1984, Kabinov was briefly confined to a psychiatric hospital, apparently to prevent his meeting with a delegation of religious dignitaries from abroad. Petr and Aleksandr Stepanov were sentenced for the same reason in 1985 to 3 and 2 years, respectively. Petr Stepanov had already served a 2 year term beginning in 1980.

Eduard Bulakh, a Pentecostal activist from Vilnius, Lithuania, was sentenced in 1981 for refusing call-up to the army, and re-sentenced in camp in February 1983 to an additional 2½ years for "dissemination of slander. . . ." Among the charges against Bulakh was that he had sent a "slandorous" autobiography of himself and other Pentecostal documents to the Madrid Conference of the CSCE.

As noted under "Civil and Political Rights" (see above), Pentecostal and "Rights to Emigrate" activists Vasily Barats and his wife

Galina were, respectively, sentenced in 1983 to 5 years strict regime camp, and 6 years strict regime camp with 5 years exile. Vasily Barats had previously been held in a psychiatric facility. He suffers from a number of serious physical ailments.

In August 1983, Vladimir Zhuravel, was summoned to the village council for a passport check, where officials demanded that he cease his attempts to emigrate. When Zhuravel refused, he was beaten, as was his son, who attempted to come to his aid. The next month, Zhuravel was sentenced to 2 years labor camp for "resisting a policeman" and "threatening and using violence towards an official."

In October 1983, Ivan Fedorchuk from the Rovno region was sentenced to 5 years strict regime camp and 5 years exile. Fedorchuk is a bishop of the church and a leader of the emigration movement.

Nikolai Matsyuk was interned in a psychiatric hospital in 1981, and subsequently tried in December 1983 for "blackmail" and "giving bribes." He received 5 years general regime camp.

Two leaders of the Pentecostal community in Moscow, Stepan Kostyuk and Richard Zimmerman, were tried in April 1984. The former received 4 years internal exile, the latter, a suspended 2-year camp sentence. They had been accused of "infringing on the person and rights of citizens under the guise of conducting religious rituals." Another Pentecostal from the Moscow oblast, Evgeny Gul, was sentenced in August 1984 to 5 years general regime camp for alleged "refusal to register the congregation," "bringing children into the congregation," and "encouraging young persons to refuse military service."

Petr Golikov was sentenced in late 1982 to 5 years strict regime and 2 years internal exile. His wife Valentina, another activist and friend of Galina Barats, was herself sentenced to 3 years general regime camp in October 1984.

Also in late 1984, a Pentecostal pastor from the Donetsk region of Ukraine, Vladimir Loboda, was sentenced to 4 years strict regime camp and 3 years internal exile for "parasitism." Another Ukrainian pastor, Afanasy Melnik from Vinnitsa, received 3 years strict regime camp at roughly the same time.

Also toward the end of 1984, around 150 male members of the Pentecostal congregation of the eastern Siberian village of Chuguyevka began a series of hunger strikes to persuade authorities to allow them and their families to emigrate to the Federal Republic of Germany. Their children had been under pressure at school, and their schoolmates called them "fascists" and "brown pestilence" (the community is ethnic German). In response, several families had taken their children out of the public schools. They were subsequently promised that their applications would be approved, but authorities later went back on their word. As a result of this protest, the leader of the community, Pastor Viktor Walter, was sentenced to 5 years general regime camp for "violation of the laws separating church and state," "illegal assembly," and "infringing on the rights." Eventually, 10 other male members of the Chuguyevka community were imprisoned on a variety of charges stemming from their protest activities.

At approximately this same time, 17 Pentecostal families from Nakhodka and Vladivostok wrote to President Reagan appealing

for his aid in securing permission to emigrate. They noted that they had been attempting to emigrate since the signing of the Helsinki accords, and they described the repressive conditions to which they were subjected as a consequence of official restrictions on their religious practices. A similar letter from the Pentecostals of Vilnius was sent to President Reagan and the U.S. Senate in mid-1986. They pointed out that they had contributed to the construction of the church building used by the registered Baptists of Vilnius, but had not been allowed to use the building. At the same time, the homes of two church leaders in the area, Pavel Romanchik and Petr Grigalchik, were subjected to searches, and both men warned against continuing their "slandorous" activities. The Vilnius Pentecostal community has also been actively seeking permission to emigrate. Four members of the community appealed to the Vienna CSCE Conference in November 1986 for aid in emigrating. Seven members of the Gorelkin family of Vilnius did succeed in "emigrating" by crossing the Soviet-Turkish border in the spring of 1984.

In May 1986, there were reports that other Pentecostal communities in various parts of the Soviet Union, in particular the lower Don region and Petrovpalovsk-Kamensky in eastern Siberia, have renewed their efforts to emigrate. A month earlier, it was reported that around 100 persons thought to be Pentecostals were arrested in Belorussia.

Two Pentecostal activists and their families were permitted to legally emigrate from the Soviet Union during the reporting period—Lydia Staskevich and her family in September 1985, and her brother Pavel Timokhin and his wife in mid-1986.

Krishna movement

From a chance meeting on the streets of Moscow in 1971 between a young Russian, Anatoly Pinyayev, and the secretary for a visiting Krishna scholar from India, the Hare Krishna movement in the Soviet Union has grown to include at least 200 fully initiated members and over 10,000 practitioners, according to the International Society for Krishna Consciousness.

By 1980, the movement had attracted the attention of the "competent authorities." A meeting of followers in Riga featuring a lecture by a spiritual master from abroad was broken up by police and KGB officials. When a Hare Krishna congregation in Moscow applied in 1981 for permission to register as an official church, the application was refused with the explanation that the movement was "ideologically deviant." The Moscow leaders, Vladimir Kritski and Sergei Kurkin, were sentenced in December 1982 to 4 and 2½ years labor camp, respectively. Released conditionally in the second half of 1984 for "compulsory labor on a national project," Kritsky was re-arrested and sentenced to 4 more years of strict regime camp. Yevgeny Tretyakov was sentenced to 1½ years camp in 1981 for organizing a branch of the Hare Krishna movement in Krasnoyarsk. In a case that authorities attempted to link with that of Tretyakov, physiotherapist Valeriya Sukhova was sentenced in February 1983 to 4 years general regime camp for "infringing on the person" for having founded a club to study the Orient. She was later released ahead of schedule. Maya Kolyada, a geologist, re-

ceived 2 years general regime in March 1983 in connection with her leadership of a discussion group on Yogi and Indian philosophy. She was accused of distributing to her students a philosophical manuscript written by one Leonid Galkin. The document was devoted primarily to Hindu philosophy, but contained criticism of the United States and Soviet Union, including the occupation of Afghanistan. Galkin himself was sentenced to 3 years general regime camp in summer 1983. In April 1983, Aleksandr Levin, a Hindu, was sentenced to 4½ years general regime camp, where he went blind.

In June 1983, the Soviet weekly "Nedelya" accused the Krishna movement of being funded by the Central Intelligence Agency, and the journal "Science and Religion" ran a 13-page, 2-part article criticizing the movement. There followed a massive roundup of Krishna followers, one of whom was Olga Kiseleva, pregnant at the time. Sentenced to 4 years camp, Kiseleva delivered in camp and lost her child after 11 months.

In October 1984, police searched the homes of nine Krishna followers in the Stavropol krai of the north Caucas region. Eventually five persons were arrested and sentenced to camp terms. The indictment accused the movement of being linked to the Sakharov Committee (for human rights), the Jewish movement, and other "subversive groups."

By November 1986, there were at least 15 members of the Hare Krishna movement in psychiatric facilities or labor camps. One was under a compulsory labor sentence, without confinement. The initiator of the movement in the Soviet Union, Anatoly Pilyayev, was arrested in the summer of 1983 and sent to the Special Psychiatric Hospital at Smolensk, where he has been subjected to heavy drug treatment. His wife was told that "Anatoly's view of the world would not be easy to cure."

Conclusion: The legal recognition that religious organizations are persons under Soviet law is a minor improvement which should ease their dealings with the Soviet authorities on some practical matters. Also, the Russian Orthodox Church has been granted better facilities in Moscow for holding conferences. In return, however, the Russian Orthodox hierarchy must be prepared to follow state dictates on matters of foreign and religious policies.

In the main, unfortunately, the situation of religious believers in the Soviet Union has not improved in recent years. In the post-1979 general crackdown on dissent of all kinds, Soviet religious believers have been imprisoned twice as often as previously. Whereas Soviet evangelical Protestants, particularly Baptists, are still arrested in large numbers, the Soviet authorities apparently have increased repression against Lithuanian Catholics and Russian Orthodox. More instances of Islamic *samizdat* and unofficial religious activity are now known in the West. Also in western Ukraine, a Ukrainian Catholic defense movement was organized for the first time. Although legalization of their church was one of its main demands, Soviet authorities continue to treat the Ukrainian Catholic Church as an outlaw.

"EXTRAJUDICIAL" PUNISHMENT

As noted in the previous report, various means of "prophylactic measures" are employed by Soviet officials to discourage the expression by Soviet citizens of independent viewpoints before charges are officially lodged.

Telephone service for human rights activists is frequently cutoff under the pretext that the subscribers are "abusing" the service. During the reporting period, numerous refuseniks and independent peace activists experienced this treatment. When the Moscow independent peace group solicited calls from abroad on proposals for establishing trust between East and West, the phone service to the number they had published was immediately cutoff. After non-conformist artist Georgi Mikhailov was arrested in Leningrad, his mother could call out but could not receive incoming calls. In July 1985, refusenik Vladimir Lifshitz was detained in the Leningrad Post Office from where he was speaking with friends overseas. He was informed that the entire conversation was being recorded and transcribed.

Congressional hearings in the United States have documented a continuing practice of interfering with mail addressed to and from human rights activists and refuseniks (one source has stated that when a Soviet citizen begins to receive a large amount of mail from the West, postal authorities place a yellow marker on his/her mail slot for future reference). By July 15, 1985, U.S. Congressman Ben Gilman reported that the House Post Office and Civil Service Committee had accumulated over 2,500 pieces of evidence supporting charges that the Soviet Government deliberately interferes with mail service between its citizens and the West. Prior to the cutoff of *all* private prepaid packages to the Soviet Union in the fall of 1984, authorities had presented Western firms with lists of Soviet citizens, primarily relatives of political prisoners, for whom such packages would not be accepted.

Human rights activists and persons who apply to emigrate can count on losing their jobs and having difficulty obtaining others. Employers are warned by the local prosecutors office that "the employee is unreliable" and dismissal usually follows. This is also used to create a "Catch-22" situation for former political prisoners, who are prevented from getting jobs and then threatened and/or re-sentenced for "parasitism."

"Suspects" are detained on the street and taken to a police station for "discussions," where they are frequently warned on the basis of a Supreme Soviet decree of December 25, 1972 (the text of which has apparently never been published) that their activities are being noted and they are liable to be brought up on criminal charges.

Family members and children of human rights and religious activists and refuseniks, imprisoned or otherwise, are harassed. Tamara Grigoryants, wife of political prisoner Sergei Grigory Grigoryants, was called into KGB headquarters in Kaluga, where it was suggested that she "aid" the KGB lest her husband's situation in prison get worse. When she refused, her home was broken into and trashed. The attackers left a threatening note signed "The Avengers;" a month later her windows were broken and someone

tried to set fire to outbuildings nearby. After Mykola Horbal's wife left an appointment with the Prosecutor's office in Moscow, she was picked up by police, held for 2 days, and then put back on the train to Kiev. Also pulled off trains were Tatyana Zunshaine, wife of imprisoned refusenik Zachar Zunshaine, and Raisa Uvarov, mother of imprisoned Georgian Helsinki Monitors TENGHIZ and Eduard Gudava. Valentina Golikova's (see Pentecostal section) adopted son has been threatened with psychiatric incarceration for supporting his mother. The KGB suggested to Larisa Bogoraz, wife of the late Helsinki Monitor Anatoly Marchenko, that she should write a statement renouncing her human rights activities. When she refused, she was told that her husband had been deprived of all his visiting rights at camp for 1984. Yuri Orlov's wife Irina Valitova was slandered by the KGB, who told Orlov's acquaintances that she was a bad influence on him, and that he would have been better off with a different wife. Praskovya Smaly, the sister of Ukrainian psychiatric political prisoner, Hanna Mykhailenko, and the only person allowed to visit her, was dismissed from her job in 1985.

As mentioned previously, newspaper articles and television films are employed to attack human rights activists. If the target is old enough and lived in the area of the Soviet Union occupied by Nazi troops during World War II, he can be assured of being painted with the "collaborator" brush. Jews are accused of ties with "Zionist centers of reaction" and by extension, with the atrocities committed in Lebanon. Jehovah's Witnesses supposedly take orders from the Witnesses' international headquarters in New York City. Evangelical Christians are pictured as unsociable, unstable individuals whose devotion to their religion leads them to neglect their family and civic responsibilities. Ukrainian and Baltic nationalists, along with their fellow countrymen abroad, allegedly wish to turn the clock back to the "bourgeois-nationalist past." When Yuri Andropov became General Secretary the press began to assert that all the participants in the human rights movement were agents of American intelligence. The victims of these attacks, of course, have no opportunity to reply through the same media.

Another method of intimidations pressure is the meeting of the collective at one's workplace to discuss the "behavior" of a fellow worker. For instance, the following item appeared in *Russkaya Mysl'* (Paris) in April 1985:

In June, at the "Transselkhoztekhnika" plant in the village of Bortnichi, Borispol Raion, Kiev Oblast, there was a meeting in which they discussed the behavior of the leader of the local Pentecostal community, the truckdriver, Yakov Spirodonovich Gavrishov. Gavrishov was warned that if he continued to meet with representatives of foreign religious centers, papers on him will be filed with the prosecutors offices.

Physical attacks

One of the most ominous developments over the reporting period in the authorities' treatment of human rights activists is an appar-

ent decision to return to the use of physical force to discourage dissent, obtain confessions, and punish resisters in camp.

Although clearly not all deaths of dissidents or physical attacks on human rights activists on the street can be shown to be the work of the police and KGB, the strictures against physical abuse have been relaxed in favor of the attacker.

The November 1, 1982 issue of *The Chronicle of the Catholic Church in Lithuania* reported an attack on the rector of St. Joseph's Church in Riga, Latvia in April 1982. The Rev. Valfrids Vainbergs was beaten so badly that he required an operation. Previously, he had been followed by KGB agents in automobiles.

An active Soviet feminist and poet, Kari Unksova, was struck by an automobile on a Leningrad street in June 3, 1983, under very suspicious circumstances. Unksova and her family had been given permission to leave the Soviet Union in May of that year. After analyzing an account of the incident given by Kari's sister Marina, who was seriously injured at the same time, Kari's husband wrote that "This was not an unfortunate accident, it was murder, very blunt and impudent. They didn't even try to make up at least (a) somewhat believable version. I think that they wanted for it to be clear to everybody."

In May 1983, Soviet Pentecostal Ivan Luchko was attacked by a group of "unknown persons" in Rovno, Ukraine. During the assault, he was told by his assailants that next time they would kill him unless he stopped his efforts to emigrate.

Yuri Burda, a Soviet Christian serving in the army died on October 31, 1983 allegedly from an electric shock. When his parents opened, his casket at home, they discovered that his eyes had been burned out, his hands stained, and his fingers crushed.

Another Christian soldier, Vyacheslav Minkov was beaten by fellow soldiers at least three times, and ultimately placed in a psychiatric facility in April 1984 for "talking about God." Yevgeny Minyakov, the son of Baptist pastor Dmitri Minyakov, was beaten by soldiers in his army unit, and he was put in the hospital with a broken jaw.

Evgeny Balter, a Jewish refusenik from Leningrad, was badly beaten on February 24, 1984. The same fate met another Leningrad refusenik, Leonid Kelbert in October 1985 as he was walking along a street with two Western tourists. The "hooligans" made no move toward the tourists, and concentrated exclusively on Kelbert.

The previous report noted that Lithuanian priests had been frequent victims of physical violence, particularly in the years 1980-81. In August 1985, Father Vaclovas Stakenas, a member of the Catholic Committee for the Defense of Believers' Rights, was lured out of his rectory on false pretexts. He was attacked by two men who bound and gagged him, drove him out of town and left him there. This incident was followed by the violent death of Father Juozas Zdebskis, killed in an auto accident. Zdebskis was a founding member of the Catholic Committee and had been persecuted by authorities in the past. In 1981, he suffered suspicious chemical burns while riding in his automobile. The KGB ordered attending physicians to diagnose the priest's condition as "venereal disease," but they refused.

In February 1986, it was reported that Irina Tsurkova, the wife of political exile Arkady Tsurkov, was assaulted by a stranger on the street where she had gone to join her husband in exile.

In August 1986, former political prisoner Nikolai Pavlov was severely beaten in the village of Alekseeva by KGB agents who demanded that he refuse parcels from abroad.

Police use the slightest pretext to inflict physical retribution on dissidents during arrests. Yakov Mesh was beaten on the street in October 1984, although witnesses stated that he did not resist arrest. When police in Odessa, Ukraine arrested Yakov Levin, they beat him and twisted his fingers with a warning that henceforth he would have to write his complaints with his left hand.

During the reporting period, reports of beatings in pre-trial detention became more widespread, even in Moscow (the practice had previously been limited to the provinces). Alexandr Smirnov, arrested in late December 1982, was reportedly beaten 30 times while in investigative prison prior to his conviction in May 1983 for "anti-Soviet agitation and propaganda." Sergei Khodorovich, administrator of the Solzhenitsyn Fund, was badly beaten following his arrest in April 1983. Refusenik Yakov Mesh had his liver damaged as a result of beatings administered while under investigation. Usually beatings are administered by criminal prisoners co-opted by the administration, but Khodorovich insisted at his trial that a guard beat him and demanded that he recant or he would be beaten again. In early 1986, refusenik Vladimir Lifshitz was beaten by fellow prisoners while awaiting trial and hospitalized for 10 days. Tatyana Zunshaine (see above) described this scene in the common cell for prisoners:

. . . In the common cells, violence reigns. Some of them there beat, rob, steal (others') clothes, humiliate, destroy morally, corrupt. . . . Others are required to catch flies. The quota is 50 flies per day, for each one not caught, you get 12 blows in the press. For hours they stand on their knees, wait on others, wash someone else's underwear, drink, wash themselves and the floor from one bucket.

Zunshaine had requested transfer out of the common cell so to protect himself from "re-education" tactics by other prisoners.

Removal of children from parental custody

While threats to take children away from their parents continue to be made against religious believers, no such cases during 1982-86 were documented. However, In April 1986, a court in Moscow denied Larisa Chukayeva, independent Soviet peace activist, custody of her 3-year-old son, and ruled that he should be turned over to a state institution. Chukayeva is divorced from Alexandr Chukayev, who is serving a labor camp sentence for political activity. Shortly after the court decision on her child, she was sentenced to 3 years labor camp for "dissemination of slander."

JUDICIAL PUNISHMENT

Pre-trial detention

After arrest, when the formal investigation is initiated, the suspect is placed in a pre-trial detention that generally lasts about 3 months, but can go up to 9 months with permission of the Procurator General of the U.S.S.R. Even this legal limit has been breached by edict of the Supreme Soviet. Yuri Shikhanovich, for instance, was arrested on November 17, 1983, and kept in detention until his trial on September 5-6, 1984. Depending on the nature of the charges, the investigation is conducted by the prosecutor's office, the Ministry of Internal Affairs, or the KGB (for "grave crimes against the State"). During that time, the prisoner is isolated from his friends, family and defense counsel. Visits by family members are only permitted by the investigating officer, but such instances are very rare, usually as a reward for "cooperation." Shikhanovich's wife was allowed to visit him during the investigatory period in an attempt to persuade him to retain his defense counsel. At one point, the investigator conducting Sergei Markus's case threatened to shoot him. The accused's attorney may only visit the detainee after the prosecutor has prepared the case. A close relative is permitted to visit only between conviction and the trip to the "place of deprivation of liberty." However, there are occasions when such visits are not permitted. Anna Lifshitz, wife of convicted refusenik Vladimir Lifshitz, was not allowed to visit her husband. Attendance by family members and friends at trial is severely limited, and the defendant often finds himself alone in facing the full force of the Soviet judiciary. Authorities usually pack the courtroom for the occasion, or issue passes (nowhere stipulated by law) for entrance.

Confinement

Confinement for protesting human rights violations over the reporting period ranged from administrative arrest of 10 to 15 days (including work details) to a maximum sentence—on political charges—of 10 years camp (strict or special regime), 5 years internal exile (e.g. Volodymir Andrushko, September 1982, Leonid Borodin, May 1983, and Enni Tarto, April 1984). Refusenik Lazar Rulyov-Kagan received a 12-year strict regime sentence for alleged speculation.

As for the overall conditions in the labor camps and the transit process thereto, authorities have made the conditions even more arduous by reducing the opportunities for prisoners to communicate with one another. Barriers between barracks have been built, the length of time that one may be confined to solitary confinement has been increased, and prisoners are beaten. New legislation enacted in October 1983 is specifically directed toward prisoners for "repeated disobedience of the demands of the camp authorities," with a penalty of up to 3 or 5 years, depending upon the circumstances.

Although it is difficult to ascertain at times precisely the charges upon which a prisoner has been re-sentenced, the following prisoners are reported to have been victims of this new law: Russian Orthodox activists Vladimir Poresh, receiving 3 more years in Octo-

ber 1984 (later overturned), and Alexandr Ogorodnikov, receiving 3 more years in April 1986; Baptist minister Mikhail Khorev, receiving 2½ years in January 1985; Viktor Grinev, receiving 1½ more years in March 1985; Georgian Helsinki Monitor Merab Kostava, receiving 2 more years in June 1985; Solzhenitsyn Fund administrator Sergei Khodorovich, receiving 3 more years in April 1986. The new law has not prevented authorities from re-sentencing prisoners on the standard political charges. Among the many such victims are SMOT activist Vladimir Skvirsky, who received 3 more years in June, 1984; Ukrainian Helsinki Monitor Mykola Horbal, receiving 8 years strict regime camp and 3 years exile in October 1984; Russian psychiatrist Anatoly Koryagin, receiving 2 more years in February 1986; Belorussian worker Mikhail Kukobaka, receiving 7 years strict regime camp and 5 years exile in 1984, Galina Maximova (a Russian woman who has been attempting with her son to emigrate), receiving 5 more years strict regime labor camp in May 1985 (see also Helsinki Monitors and Baptists).

As additional punishment, prisoners in labor camps are sometimes transferred for a particular period of time to the more stringent conditions of prisons. The prison to which political prisoners are specifically assigned is at Chistopol, in the Tatar ASSR. This occurred to Mart Niklus in July 1983, the late Mark Morozov in December 1983, and Mikhail Kazachkov sometime before December 1984. In addition, the standard procedure of denying family visits to prisoners for the slightest provocation continues to be applied. Natalia Petkus, wife of Lithuanian Helsinki Monitor Viktoras Petkus, did not have any communication from her husband for over 6 months and was prevented from visiting him for 2 years. When Mart Niklus' mother was permitted to meet with him at Chistopol Prison, authorities broke up the meeting because Niklus refused to speak Russian instead of his native Estonian.

In January 1984, the *Wall Street Journal* published a letter from the late Anatoly Marchenko, incarcerated at one of the three Perm camps for political prisoners. It read in part:

... On May 4, 1983, the political prisoner Zurab Gogiya noticed a maggot in his bowl of soup. He told two friends, Stepan Khmara and S. Uvarov, about it and expressed his dissatisfaction to the senior cook. The camp commander Maj. Osin sent all three to punishment cells for 15 days (for slandering the kitchen). Two additional punishments were added: the three prisoners were deprived of canteen privileges and of family visits.

... The following day, Ivan Kovalev fished out with his spoon another such "fact" ... Kovalev addressed a complaint to Osin. The next day Kovalev was deprived of canteen privileges. Soon thereafter he was sent to a punishment cell for 15 days. When his term expired on Aug. 2, Kovalev was not released. He was sentenced to 12 more days in the punishment cell; ...

"We will starve you and freeze you not because you are Ivan Kovalev but because you are not fulfilling your quotas," Kovalev was told in the camp prison by Ponomarev, the camp doctor!

Zachar Zunshaine described the criminal camp in Bozoi to which he had been assigned:

Underwear is not changed for 20 days at a time—the camp is being starved—they feed us worse than in prison. Despite the fact that there are double window frames in the bathhouse, the insides of the windows are covered with snow and ice.

... The cold is terrible. It forces the inmates to cling to radiators like sheep near a shepherd. For 3 days in a row, the central heating did not function, and I am frozen to the bone. . . .

The last 2 months, the regular water supply was cut off in the camp. We got water from the radiators, drinking it out of watering cans.

Zunshaine was taunted with anti-Semitic epithets and beaten by inmates when he arrived at Bozoi.

Among many victims of beatings in camp have been Helsinki Monitors Yuri Orlov and Anatoly Marchenko, and independent peace activist Alexandr Shatravka. By August 1986, Marchenko had declared his ultimately fatal hunger strike in protest against such abuse. Irina Ratushinskaya, considered one of the greatest poets of her generation and sentenced to 7 years strict regime camp and 5 years internal exile, had her head beaten against the cell floor while she was being force-fed. She was later refused medical care in camp for "not standing up when the doctor came to her cell." Iosif Berenshtein is almost blind as the result of a beating received in prison. In 1986, it was reported that Naum Yefremov was being systematically beaten by inmates at the camp in Tyumen oblast where he was sent. Arkady Tsurkov's lungs have been injured as a result of beatings suffered in camp. In January 1986, Yuri Edelshtein fractured his pelvis and thigh bone at the Virdino labor camp where he was working and was denied adequate treatment. It is feared he may be permanently disabled as a result. Mykola Horyn suffered his second heart attack in camp in the spring of 1984. His wife Olga has been attempting for 2 years to have him transferred to the Leningrad hospital for prisoners, but without results.

In some camps, homosexual prisoners are used to break other prisoners' resistance to authorities' demands; in the investigative prisons political prisoners may be thrown into "press-huts" to be physically worked over by vicious criminals or psychiatric patients. Exiled political activist Georgi Vladimov wrote in *Russkaya Mysl* in July 1983:

Pressure-cells are now in vogue. Prisoners awaiting trials are put in cells together with convicted criminals—usually two of them—who attack them, as they did Aleksei Smirnov-Kosterin. Sometimes they rape them. And each time the investigator summons them and says, "Well now, are we going to confess?"—(Quoted from RFE/RL 329/83.)

These "press-cells" or "press-huts" have become accepted as standard features of the prison system.

As of December 1985, there were at least 77 female political prisoners in the Soviet Union. Of those for whom reliable information is available, the majority were imprisoned for religious beliefs. Women convicted on political charges are kept in a separate strict regime facility at Barashevo, Mordovia. The others are scattered in criminal camps throughout the Soviet Union.

The women at the Mordovian camp have been particularly active in resisting malfeasance by the authorities, staging numerous hunger strikes and writing letters to newspapers and higher authorities, as well as a letter of congratulations to President Reagan upon his re-election. Keston College has quoted the head of this camp, Maj. Shorin, as saying "We don't shoot you any more now, but we have other methods to ensure that you won't leave this camp alive." A camp doctor certified Tatyana Osipova, one of the prisoners in the womens' zone, fit to spend 15 days in the isolation cell right after prescribing 5 days treatment for an illness.

As incidents of physical abuse and medical neglect have become more prevalent, there has been an increase in reported deaths within the camps. A *samizdat* appeal addressed to the Vienna CSCE Meeting in late 1986 stated that in the last 30 months 10 men had died in Perm Camp 36-1 alone. Although the law provides for early release for critically ill prisoners (art. 100, RSFSR Code), it is seldom used.

Three Ukrainian Helsinki Monitors died while in camp between 1982-86: Oleksy Tykhy died of malnutrition in May 1984, Yuri Lytvyn apparently committed suicide in late August 1984, and Vasyl Stus succumbed to poor health and deplorable camp conditions in September 1985. The Ukrainian human rights movement suffered another tragic loss October 1984 with the death of poet and journalist Valery Marchenko, who died in the hospital for prisoners in Leningrad. Marchenko was in desperate need of a kidney dialysis machine and doctors had wanted to transfer him to a civilian hospital but the KGB refused. Just prior to his death, Marchenko's wife had received a report from the Gulag medical authorities that her husband's health was satisfactory and that "he is being provided with the necessary medical treatment."

Viktor Tomachinsky, who had been imprisoned in 1981 for his attempts to emigrate and re-sentenced in camp in May 1983, died of complications following pneumonia soon after his second conviction.

Ishkan Mkrtchyan, an Armenian activist imprisoned at Perm Labor Camp No. 35, died under mysterious circumstances on the 70th anniversary of the genocide of the Armenian people in 1915.

Independent labor union activist Aleksei Nikitin died of stomach cancer in April 1984 following his release from a special psychiatric hospital when doctors realized that his condition was incurable. By this time, Nikitin was reportedly almost blind due to forced drug injections at the psychiatric hospital by alleged doctors.

Mikhail Dyukarev, a former Soviet border guard who had defected to Iran in 1974, killed himself at Perm Camp No. 35 in September 1984. Dyukarev had returned voluntarily to the Soviet Union in 1982, only to be sentenced to 12 years for "treason."

Eduard Arutyunyan, founder of the Armenian Helsinki Group, died of cancer 8 days after being released from camp in early December 1984.

Mark Morozov, a mathematician and one of the founders of the SMOT independent labor union movement, died on August 3, 1986 of a heart attack at Chistopol Prison. He had suffered from a number of serious illnesses. The first SMOT press conference in 1978 had taken place at Morozov's Moscow apartment.

Anatoly Marchenko dies in early December 1986 following a hunger strike that he had initiated on 4 August 1986. Marchenko had demanded an end to abuse of prisoners, punishment of guards who had beaten him, and resumption of visits with his wife.

Internal exile

The practice of appending a period of internal exile to a labor camp sentence has become standard for prisoners convicted of "especially dangerous crimes against the states" (i.e., art. 64-72 of the RSFSR Criminal Code, and the analogous statutes of the other Republics). Internal exile without camp sentence, or with perhaps a year of confinement, is also frequently meted out to first-time "offenders"—usually a 5-year term. Exile is almost always to Siberia or a similarly distant and/or barely inhabitable location. Exiles frequently are assigned rooms in workers' dormitories. The few fortunate ones may rent a small place of their own. Under the system known as administrative surveillance, exiles are not allowed to travel outside certain limits, and must report regularly to the local police—although local police check on them at all hours of the day and night.

The late Vasyl Stus was assigned during his exile in the late 1970's to work in a coal mine in the Kolyma area of Siberia. In a letter published in the West in July 1985, Stus wrote:

... The dust in the mine was terrible because there was no ventilation. Blind vertical shafts were being drilled. The hammer weighed 50 kilograms, the bar 85. The respirator (a gauze mask) would become wet and covered with a layer of dust within half an hour. Then you could take it off and work without protection. . . .

... I had to fight a real war with the KGB over my letters. Dozens of letters just disappeared. My complaints were answered in a particular way: the mailbag at the Magadan airport had a hole. . . .

A little over a month after this was published, Stus died.

Russian religious and national rights activist Igor Ogurtsov completed 15 years of labor camp and took up exile residence in Komi, ASSR, in March 1984. Attempts have been made to compromise him. At one point, the SMOT *Bulletin* reported that the KGB had offered Ogurtsov and his elderly parents the opportunity to leave the Soviet Union (which they have attempted to do for several years) if Ogurtsov would promise not to "cooperate with NTS" (the Russian nationalist, anti-Communist organization with headquarters in the Federal Republic of Germany) and "other anti-Soviet organizations." Ogurtsov refused.

Helsinki Monitor Yuri Orlov began his 5-year exile term in May 1984. A friend of his from Moscow wrote about Orlov's situation in 1985.

Compared to other exile situations, I know of none that are hard as Yuri's. It is complete isolation in a village which is itself isolated. . . . Rumors are spread that he is a spy, a traitor, a war-monger. The climate, both in winter and summer, is harsh, even for a healthy young man. The locals are aggressive, and it is impossible to find a permanent place to live. . . .

. . . On the night of April 21, Yuri Orlov was severely beaten in the street by two drunken toughs. "What is your name?" said one. And then: "Beat him up!" When Yuri fell down, they went on beating and kicking him.

Orlov was released from exile and allowed to emigrate to the West in October 1986.

Tatyana Velikanova, a Moscow mathematician whose arrest in 1979 is considered one of milestones in the crackdown on dissent in the Soviet Union, arrived at her assigned place of exile in rural Kazakhstan in November 1983 after 4 years of camp. Her living conditions in the village of Beineu are as follows:

She had to move into an empty, dirty and abandoned room that needs major repairs. The floor sags, the stove doesn't work. Meanwhile the container that held all (her) belongings (clothes, undergarments, dishes) disappeared without a trace. (She) had to ask for a table from a neighbor. On the trash heap, she found a couple of chairs. That's all the furniture she has now. . . . The room . . . is in a barracks, next to (the room) is a small, 6-meter space, the kitchen. There's no water in the building. One has to go to a well for it. The toilet is also outside. One for several barracks. There's no door on the toilet. A simple beaded curtain takes its place. . . .

Travel restrictions

Upon release from labor camp or exile, political prisoners are frequently prevented from rejoining their families in their home town, almost always if they were convicted for "especially dangerous crimes against the state" (see *Internal Exile*). In August 1985, new regulations were issued by the Council of Ministers, which prohibited anyone who has been refused a housing permit in Moscow, or convicted of any so-called "premeditated crimes," to visit Moscow or certain of its surrounding towns. Permission to enter those areas may only be granted under exceptional circumstances by the head of the local Ministry of Internal Affairs. Besides the obvious limitations that the new regulations place on those who wish to visit Moscow, they also place obstacles before those whose travel plans would take them through Moscow by rail, whether or not they wished to stop in Moscow. In commenting on this new law, Moscow Helsinki Monitor and former political prisoner Malva Landa estimated that it affected no less than 4 or 5 percent of the Soviet population, and pointed out the hardship that it

would cause to those who require quality medical care available only at Moscow "pay" clinics.

Public confessions for dissidents

Soviet authorities constantly attempt to secure public recantations to intimidate the public and to discredit the human rights movement. Physical and psychological pressure are applied, appeals to the patriotic feelings of the prisoners are made, and concerns for his or her family are played upon. During the reporting period, such "confessions" invariably contained references to having been used by "hostile Western propaganda centers," such as "foreign radio voices."

Some recantations are pried out of suspects prior to trial; however, if this is not successful, the efforts continue in the camp. Ideally, the optimum use of the recantation involves a staged television address, such as that given in February 1983 on Leningrad television by former administrator of the Solzhenitsyn Fund Valery Repin.

About a month later, Repin's wife followed with her own television interview in which she claimed that she and her husband had become "victims of the infamous 'Solzhenitsyn Fund.'"

Over the reporting period, three Ukrainian Helsinki Monitors apparently recanted. In February 1983, a letter appeared in "Pri-karpatskaya Pravda" in which Father Vasyly Romanyuk allegedly repented for his "anti-Soviet past" and pledged to work in the future for "peace and for the good of our people." In April 1984, a Soviet Ukrainian-language weekly published for overseas readership alleged that Ivan Sokulsky "condemns his behavior and speaks of wishing to repent of his wrongdoing before the people." Approximately a month later, Oles Berdnyk read a statement on Kiev radio in which he condemned his past human rights activities, thanked the authorities for having given him his freedom, and said that he had finally "(broken) all ties with those who wish to harm my fatherland." A similar newspaper article followed in *Literaturnaya Ukraina*. Berdnyk later repeated his recantation in a national television broadcast entitled "Conspiracy Against the Nation of Soviets." Soviet authorities have claimed that Ukrainian Helsinki Monitor and virtual prisoner-for-life Yuri Shukhevych had recanted while in exile. Subsequent contact with Shukhevych indicates that this is not the case.

A recantation by an unregistered Baptist minister, Anatoly Petrenko, was reported in the Ukrainian newspaper *Robitnycha Hazeta* in September 1984. According to the newspaper, Petrenko recanted (at his third trial) for his past religious activities, and strongly criticized other leaders of the unregistered church.

In July 1985, refusenik Dan Shapiro, in an apparently recantation, appeared on Moscow television to air an entire laundry list of other refuseniks, foreign tourists, Western Embassy officials and journalists allegedly carrying out anti-Soviet campaigns and provocations in the Soviet Union.

In November 1985, "Ukrainian Pravda" published an article entitled "Repentance of Someone Deceived," together with the text of a letter in which refusenik Evgeny Koifman expresses his deep regret for having gotten involved with Zionism and promises in the

future "never to commit any actions causing harm to the Soviet Union."

Refusenik Lazar Rulyov-Kagan repented on Leningrad television in December 1985, following a 12-year sentence for "speculation." At the Burepolom camp in the Gorky Region, his ribs had been reportedly broken by beatings and he had been placed on minimal rations.

Sergei Markus, a Russian Orthodox historian and theology specialist, recanted on Moscow television in January 1986. He denied that religious persecution existed in the Soviet Union, and claimed that had been in contact with "religious centers abroad which had also undertaken a mission of subversion." In a letter to the Soviet media a month earlier, Markus had charged that the "American administration" was carrying on a "hostile struggle" against the Soviet Union, "with the involvement of the church in that struggle."

Boris Razveev, a former participant in the Christian Seminar, reportedly recanted on a German-language Soviet radio broadcast on April 14, 1986.

PSYCHIATRIC ABUSE

The Soviet Government continues the practice of using involuntary psychiatric incarceration as a means of dealing with dissidents and persons "unacceptable to the authorities." In April 1985, it was reported that another Special Psychiatric Hospital run by the Ministry of Internal Affairs was opened in Erevan, Armenia, bringing the total of such facilities to 13. There are two basic types of psychiatric hospitals: Special psychiatric hospitals under the administration of the Ministry of Interior, theoretically designated for criminal offenders; general psychiatric hospitals for other "patients." Political prisoners are found in both types of institution. In addition, there are now at least five "Special Psychiatric Colonies" for persons who show signs of mental disturbance while serving labor camp sentences. In 1985, it was reported that a branch of the infamous Serbsky Institute of Forensic Psychiatry had been established in Kiev, Ukraine. These developments would indicate that the Soviet Government continues to rely on psychiatric incarceration as a means of dealing with political dissent.

A list of victims of political abuse of psychiatry in the Soviet Union published by the International Association on the Political Use of Psychiatry, contained 133 names as of November 1985. In March 1983, Professor Harvey Fireside, a specialist on Soviet psychiatric abuse, was cited in the *Christian Science Monitor* as estimating that there may be some 1,000 persons held in psychiatric facilities for political activity. Moreover, he noted, another 10,000 are being held merely for complaining about the system: about official malfeasance, job loss and discrimination, or housing problems, among others. With regard to political dissidents, Professor Fireside testified before the Commission on Security and Cooperation in Europe in September 1983, that:

... dissidents who show no evidence of massive agitation or violent behavior are nonetheless treated with neuroleptics. Typically, they are directly or indirectly advised

that the only way they can avoid being forced to take these drugs is to renounce their political or religious views. They are also threatened with higher drug doses or with the renewal of previously discontinued medications if they protest their mistreatment.

In the opinion of former psychiatric abuse victim Alexandr Shatravka, the abuse of drug treatment is actually more brutal in ordinary psychiatric hospitals than in special psychiatric hospitals as there is less time to "cure" the patient in the former, while in the latter facilities, "the doctors know they have longer to work with such patients."

As a result of the worldwide condemnation of Soviet psychiatric abuse, the official Soviet All-Union Society of Psychiatrists and Neurologists withdrew from the World Psychiatric Association in February 1983. There had been plans by delegations of several other countries to censure or expel the Soviet Union at the World Psychiatric Association Congress in Vienna in July 1983.

Among the numerous victims of the political abuse of psychiatry during the reporting period are the following:

Gederts Melngailis, a Latvian worker, was arrested for "dissemination of slander" in January 1983, but his mother was persuaded by a lawyer to sign a statement stating that her son had been suffering from schizophrenia since childhood. Melngailis was eventually sentenced to 3 years labor camp, but remanded to Blagoveshchensk Special Psychiatric Hospital.

Aleksandr Vorona, a Russian dissident and signatory to the "Appeal to the Governments and Publics of the U.S.S.R. and U.S.A." (see Independent Peace Movement), was arrested in January 1983 and remanded to the Dnepropetrovsky Special Psychiatric Hospital. Vorona had also been held in an ordinary psychiatric hospital in 1980 to prevent him from meeting with foreigners during the Olympics.

Vladimir Gershuni, a SMOT activist who was first arrested in 1949, and has been in and out of psychiatric facilities for most of his adult life, was sent to the Special Psychiatric Hospital in Tashkent in early spring 1983.

Nizametdin Akhmetov, a Bashkir poet, originally was sent to labor camp in 1979 for dissident activities, but was transferred in early 1983 to the Special Psychiatric Hospital at Alma-Ata.

Egor Volkov, a Russian worker from Nakhodka, Siberia, had been sent to the Special Psychiatric Hospital in Blagoveshchensk in 1968 for his labor agitation. In early 1983, doctors recommended that he be released, but the court refused to allow it (he had earlier been convicted on criminal charges).

Vasily Pervushin, a war invalid and activist for handicapped rights, was arrested in June 1983 and sent to the Alma-Ata Special Psychiatric Hospital in November of the same year.

Garnik Tsarukyan, an archdeacon of the Armenian Church, was picked up by police in February 1984 for making a speech criticizing the corruption of the Armenian Church and its links with the KGB. In March, he was remanded to the Ordinary Psychiatric Hospital in Erevan.

Viktor Bezzubenko, a Ukrainian Baptist, was sent to an ordinary psychiatric hospital in early 1984 for refusing on religious grounds to serve in the armed forces.

Viktor Rafalsky, a Ukrainian school teacher, was first arrested in 1954, and has been in special psychiatric hospitals for most of the time since 1968. He escaped briefly from an ordinary psychiatric hospital in 1983, and was returned to Dnepropetrovsk Special Psychiatric Hospital in April 1984. In that year, an appeal from Rafalsky reached the U.N. Commission on Human Rights in which he described his circumstances and asked that everything be done to secure his release. "I'm still holding on," he wrote. "Give me your hand."

Anna Mikhailenko, a Ukrainian librarian and human rights activist, had her treatment continued by order of a psychiatric commission in July 1984.

Dr. Algirdas Statkevicius, himself a Lithuanian psychiatrist, was sent to the Chernyakhovsk Special Psychiatric Hospital in 1980, and put in a cell with four murderers. In early 1985 he was transferred to the Special Psychiatric Hospital in Tashkent.

According to another former psychiatric prisoner, Victor Davidov, political prisoners in special psychiatric hospitals were asked in April 1983 to sign statements promising they would refrain from further political activity; if the "patients" signed, they were transferred to ordinary hospitals or released.

FOOTNOTES AND SOURCES

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